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THE
JOURNAL OF THE SENATE

OF THE
Oregon.
TWENTIETH LEGISLATIVE ASSEMBLY. *Senate.*

OF THE
STATE OF OREGON

REGULAR SESSION

1899

SALEM, OREGON
W. H. LEEDS, STATE PRINTER
1899

OFFICERS OF THE SENATE.

<i>President</i>	Hon. T. C. Taylor
<i>Chief clerk</i>	S. L. Moorhead
<i>Assistant clerk</i>	J. Fred Yates
<i>Calendar clerk</i>	F. C. Middleton
<i>Reading clerk</i>	J. D. Lee
<i>Sergeant-at-arms</i>	J. S. Purdom
<i>Doorkeeper</i>	W. W. Smith
<i>Mailing clerk</i>	H. H. Humphrey
<i>Page</i>	H. H. Belt
<i>Page</i>	Frank Hartman
<i>Page</i>	Wiley Driver

JAN 27 1938

MEMBERS OF THE SENATE.

ELECTED IN 1896.

Columbia, Washington and Tillamook—G. W. Patterson.
Coos, Curry and Josephine—C. E. Harmon.
Crook, Klamath and Lake—B. Daly.
Douglas—A. W. Reed.
Gilliam, Sherman and Wasco—E. B. Dufur.
Lane—I. D. Driver.
Multnomah—George W. Bates, J. E. Haseltine, Donald Mackay,
Ben. Selling.
Polk—B. F. Mulkey.
Sherman and Wasco—John Michell.
Umatilla and Union—T. C. Taylor.
Union and Wallowa—Justus Wade.

ELECTED IN 1898.

Baker and Malheur—William Smith.
Benton and Lincoln—John B. Daly.
Clackamas—George C. Brownell.
Clackamas and Marion—L. L. Porter.
Clatsop—C. W. Fulton.
Grant, Harney and Morrow—J. W. Morrow.
Jackson—Theodore Cameron.
Lane—W. Kuykendall.
Linn—J. Clem, P. R. Kelly.
Marion—L. J. Adams, N. H. Looney.
Multnomah—S. E. Josephi.
Umatilla—George W. Proebstel.
Washington—E. W. Haines.
Yamhill—W. A. Howe.

SENATE STANDING COMMITTEES.

Agriculture and forestry—Looney, Kelly, Clem.

Assessment and taxation—Mulkey, Mackay, Porter, Cameron, Michell.

Claims—Howe, Fulton, Daly of Lake.

Commerce and navigation—Selling, Howe, Proebstel.

Counties—Mackay, Howe, Cameron, Morrow.

Education—Kuykendall, Harmon, Porter.

Elections and privileges—Harmon, Wade, Looney.

Engrossed bills—Daly of Benton, Reed, Michell.

Enrolled bills—Patterson, Cameron, Josephi.

Federal relations—Driver, Proebstel, Dufur.

Fishing industries—Reed, Michell, Bates.

Horticulture—Haseltine, Patterson, Looney.

Insurance and banking—Haines, Adams, Bates.

Printing—Michell, Selling, Haines.

Irrigation—Proebstel, Cameron, Morrow.

Judiciary—Fulton, Brownell, Michell, Kelly, Dufur.

Medicine, pharmacy and dentistry—Daly of Lake, Kuykendall, Josephi.

Military affairs—Josephi, Wade, Driver.

Penal institutions—Haines, Driver, Looney.

Mining—Cameron, Harmon, Smith.

Municipal corporations—Haseltine, Harmon, Smith.

Public buildings and institutions—Adams, Haseltine, Smith.

Public lands—Porter, Mulkey, Howe, Driver, Wade.

Railroads—Brownell, Patterson, Daly of Benton, Mackay, Morrow.

Revision of laws—Kelly, Reed, Fulton, Daly of Lake, Smith.

Roads and highways—Bates, Daly of Benton, Proebstel, Clem, Brownell.

Ways and means—Mulkey, Kuykendall, Selling, Adams, Patterson.

SENATE JOURNAL.

SENATE CHAMBER,
SALEM, Oregon,
January 9, 1899. }

This being the day designated by law for the convening of the twentieth biennial session of the legislative assembly of the state of Oregon, the senate was called to order by Hon. T. C. Taylor, president, at 10 o'clock a. m.

The roll was called, and all the senators were present except Senators Haseltine, Smith, Haines and Josephi.

On motion of Senator Reed, the senate adjourned until 2 o'clock p. m.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 9, 1899. }

The senate was called to order at 2 o'clock p. m. by the president, pursuant to adjournment.

The roll was called, and all the members were present except Senator Howe.

Senator Mackay submitted the credentials of Senator elect S. E. Josephi, which was read, and on motion of Senator Mackay the same was approved.

Hon. Charles E. Wolverton, chief justice of the supreme court of the state of Oregon, was requested to administer the oath of office.

The president appointed Senators Mackay and Smith to wait upon the chief justice and request him to administer the oath of office to Senator-elect S. E. Josephi.

The committee retired and soon thereafter appeared accompanied by Hon. Chas. E. Wolverton, chief justice of the supreme court of the state of Oregon, who administered the oath of office to Senator-elect S. E. Josephi, and a copy of said oath was by him duly subscribed.

Senator Fulton introduced senate resolution No. 1.

SENATE RESOLUTION NO. 1.

Resolved, That the organization of this senate at the last extraordinary session of the legislative assembly of this state, convened in the year A. D. 1898, be and the same is hereby continued and made to be the organization at and during the present regular session of the legislative assembly, and each and every officer of this senate holding office at the expiration of said extraordinary session shall continue in office as if regularly elected or appointed at this time.

Senator Fulton moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith and Wade—28.

Nays—None.

Absent—Senator Howe.

Not voting—Mr. President.

So the resolution was adopted.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
SALEM, Oregon,
January 9, 1899.)

To the honorable, the senate of the state of Oregon:

I have the honor to report the following appointments, made since the special session of 1898:

Members of the board of regents of the state university: Cyrus A. Dolph, appointed November 30, 1898, for the term of twelve years from April 15, 1891, to succeed Henry Failing, deceased; Robert S. Bean, appointed November 30, 1898, for the term of twelve years from April 15, 1893, to succeed A. Bush, resigned; Harrison R. Kincaid, appointed November 30, 1898, for the term of twelve years from April 15, 1891, to succeed A. G. Hovey, deceased.

Member of the board of trustees of the Oregon soldiers' home: S. N. Holt, appointed November 30, 1898, for the term of four years from February 21, 1897, to succeed John P. Robertson.

Confirmation of these appointments is hereby respectfully requested.

WM. P. LORD,
Governor.

On motion of Senator Fulton, the message was referred to the committee on revision of laws.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 9, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has organized by the election of the following-named officers, to wit: Hon. E. V. Carter, speaker; A. C. Jennings, chief clerk; A. V. R. Snyder, first assistant clerk; Frank Motter, reading clerk; D. B. Mackie, calendar clerk; B. S. Worsley, sergeant-at-arms; M. P. Isenberg, doorkeeper; Robert Duncan, Charles Lane, Frank Swope, pages; Bruce C. Curry, mailing clerk, and is now ready for the business of the session.

A. C. JENNINGS,
Chief clerk.

Senator Looney introduced senate concurrent resolution No. 1.

SENATE CONCURRENT RESOLUTION NO. 1.

Resolved by the senate, the house concurring, That a committee of two on the part of the senate and three on the part of the house be appointed to examine the books and accounts of the state treasurer, with power to employ the necessary clerical aid.

On motion of Senator Looney, the resolution was adopted.

Senator Selling, of the joint committee appointed under house concurrent resolution No. 20 of the special session of 1898, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 9, 1899.

Mr. President:

Your joint committee, appointed at the extra session of the legislative assembly of the state of Oregon, held in 1898, under house concurrent resolution No. 20, beg leave to report that we have had under consideration the matter covered by the resolution, and have obtained all convenient information upon the subject.

The chairman called a meeting of the committee to be held in Portland on the sixth day of January, 1899, but owing to storms in the eastern part of the state impeding travel and delaying trains Representatives Williamson and Stillman did not arrive in Portland until late on the night of that day and the meeting of the committee, therefore, was not held until the seventh.

At the meeting there were present Representatives Williamson and Stillman and Senator Selling.

After a full consideration of all plans proposed, your committee recommend the adoption of the joint resolution presented herewith and which we make a part of this report.

We believe the adoption of said joint resolution will prevent the recur-

rence at this session of the clerkship abuses that have so seriously reflected upon past sessions of the Oregon legislature.

Respectfully submitted,

J. N. WILLIAMSON,
A. D. STILLMAN,
BEN. SELLING,
Committee.

SENATE JOINT RESOLUTION NO. 1.

Be it resolved by the senate, the house concurring:

Section 1. That, except the chief clerks and assistants, the journal clerks, calendar clerks, reading clerks and mailing clerks heretofore appointed and provided, no committee clerks or other clerks shall be appointed or employed in either the senate or house during the twentieth regular session of the legislative assembly of the state of Oregon, except as herein provided.

Section 2. The senate shall have and employ one chief enrolling and engrossing clerk and one assistant enrolling and engrossing clerk. The senate committee on judiciary and the senate committee on ways and means may each employ one clerk. In addition to the foregoing, the senate may elect and employ ten committee clerks, two billfilers and four competent stenographers, who shall be typists.

Section 3. The house of representatives shall have and employ one chief and one assistant enrolling and engrossing clerk. The house committees on judiciary and on ways and means may each employ one clerk. In addition to the foregoing, the house may elect and employ fifteen committee clerks, three billfilers and six competent stenographers, who shall be typists.

Section 4. The ten general committee clerks in the senate and fifteen in the house shall report at 9 o'clock in the forenoon of every day they are employed, except Sundays, to the chief clerk of the house to which they may be respectively attached, and it shall be the duties of the chief clerks, respectively, to assign them to the various committees requiring their services during the day. Each committee requiring clerical assistance must, as soon as possible after such wants may become known, notify the chief clerk thereof.

Section 5. It shall be the duty of the billfilers to properly file the bills of all the members of the house to which they are attached.

Section 6. The stenographers shall at all times be at the service of the house and its members to which they may respectively be attached, under the supervision of the chief clerks, to whom they shall report at 9 o'clock in the forenoon of each day of their employment, except Sunday.

Section 7. There shall be paid to each of the chief enrolling and engrossing clerks the sum of \$6 per day, and to the assistant enrolling and engrossing clerks, the clerks of the committees on judiciary and on ways and means and the stenographers the sum of \$5 per day each; and to the general committee clerks and billfilers the sum of \$3 per day each. The salary of no clerk, billposter or stenographer shall commence from any time prior to the date he is actually sworn in, and shall run only for days actually employed.

Section 8. No person shall be employed as clerk by either the house or senate who is not in every way competent to perform any and all work he may be called upon to perform, and any person employed by virtue of or under the provisions of this resolution may be dismissed by the house making such employment at any time upon a majority vote thereof.

Senator Selling moved the adoption of the resolution.

Senator Fulton moved to refer to the committee on education.

Senators Selling and Michell demanded the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Driver, Dufur, Fulton, Harmon, Kuykendall, Looney, Mackay, Morrow, Patterson, Porter, Proebstel, Reed, Smith and Mr. President—19.

Nays—Senators Clem, Daly of Lake, Haines, Haseltine, Josephi, Kelly, Michell, Mulkey, Selling and Wade—10.

Absent—Senator Howe.

So the motion to refer prevailed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 9, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 1, providing for a joint committee of three on the part of the house and two on the part of the senate to examine the books and accounts of the state treasurer, with power to employ necessary clerical aid.

And the same is herewith transmitted to you for the consideration of the house.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 1.

Resolved by the house, the senate concurring, That a committee of three on the part of the house and two on the part of the senate be appointed to examine the books and accounts of the state treasurer, with power to employ the necessary clerical aid.

On motion of Senator Looney, the resolution was concurred in.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 9, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 4, providing for a joint session of the house and senate on Tuesday, January 10, 1899, for the purpose of canvassing the votes cast for governor at the general election held June 6, 1898, and for inaugural ceremonies.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 4.

Resolved, That the house and senate meet in joint convention in the hall of the house of representatives Tuesday, January 10, 1899, at 10:30 o'clock a. m., for the purpose of canvassing the vote for governor, and to hear such communication as the governor may desire to make, and the inaugural ceremonies.

On motion of Senator Adams, the resolution was concurred in.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 9, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 2, providing for a joint committee of three on the part of the house and two on the part of the senate to confer with a like committee to be appointed by the legislative assembly of the state of Washington to look after the fishing industries on the Columbia river, and regulate laws governing the same with uniform laws.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 2.

Resolved by the house, the senate concurring, That a special committee of three from the house and two from the senate be appointed to meet a like committee to be appointed by the legislature of the state of Washington to look after the fishing industries on the Columbia river, and to regulate the laws governing the same with uniform laws; and that the clerk be instructed to notify the legislature of the state of Washington of such action.

On motion of Senator Fulton, the resolution was referred to the committee on fishing industries.

Senator Kelly introduced senate resolution No. 2.

SENATE RESOLUTION NO. 2.

Resolved, That the senate proceed to the election of fifteen clerks, whose duties it shall be to perform the work heretofore performed by committee clerks; that each of said fifteen clerks shall be under the direction of the sergeant-at-arms, and shall obey his orders; that whenever a member has clerical work to be performed and needs the assistance of a clerk, said member may apply to the sergeant-at-arms for such assistance, stating the length of time such work will require, and said sergeant-at-arms shall thereupon direct one of said clerks to perform the same and report to him when the

same is done ; *provided*, that in case all of said clerks are employed when such application is made, then said sergeant-at-arms shall make a note of such application, and direct the clerk first reporting to him as above provided to perform the same, it being understood that applications for clerical assistance shall be acted upon by the sergeant-at-arms in the order in which they are made ; and be it further

Resolved, That no committee clerks be employed.

On motion of Senator Kelly, the resolution was referred to the committee on education.

Senator Cameron introduced senate resolution No. 3.

SENATE RESOLUTION NO. 3.

Resolved, That the secretary of state is hereby requested to furnish the sergeant-at-arms of this senate with \$4 worth of postage stamps and \$1 worth of newspaper wrappers for each senator and officer of the senate, and upon receipt of the same the sergeant-at-arms is directed to distribute the same.

Senator Selling moved to amend, by striking out "\$4" and inserting "\$2."

The amendment was lost.

On motion of Senator Cameron, the resolution was adopted.

Senator Mulkey introduced senate joint resolution No. 2.

SENATE JOINT RESOLUTION NO. 2.

Resolved by the senate, the house concurring, That it is the sense of the people of Oregon, expressed through its legislative assembly, that the treaty of Paris, between the United States and Spain, should be ratified without amendment and in its entirety, and that we are in full accord with its provisions.

On motion of Senator Mulkey, the resolution was adopted.

On motion of Senator Selling, the rules of the last session were adopted as the rules of the present session.

On motion of Senator Michell, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

TUESDAY, JANUARY 10, 1899.

MORNING SESSSION.

SENATE CHAMBER,
SALEM, Oregon,
January 10, 1899. }

The senate was called to order at 10 o'clock a. m., by the president.

The roll was called, and all the senators were present except Senator Howe.

On motion of Senator Brownell, the reading of the journal of yesterday's proceedings was dispensed with.

The president announced the standing committees as follows:

Agriculture and forestry—Looney, Kelly, Clem.

Assessment and taxation—Mulkey, Mackay, Porter, Cameron, Michell.

Claims—Howe, Fulton, Daly of Lake.

Commerce and navigation—Selling, Howe, Proebstel.

Counties—Mackay, Howe, Cameron, Morrow.

Education—Kuykendall, Harmon, Porter.

Election and privileges—Harmon, Wade, Looney.

Engrossed bills—Daly of Benton, Reed, Michell.

Enrolled bills—Patterson, Cameron, Josephi.

Federal relations—Driver, Proebstel, Dufur.

Fishing industries—Reed, Michell, Bates.

Horticulture—Haseltine, Patterson, Looney.

Insurance and banking—Haines, Adams, Bates.

Printing—Michell, Selling, Haines.

Irrigation—Proebstel, Cameron, Morrow.

Judiciary—Fulton, Brownell, Michell, Kelly, Dufur.

Medicine, pharmacy and dentistry—Daly of Lake, Kuykendall, Josephi.

Military affairs—Josephi, Wade, Driver.

Penal institutions—Haines, Driver, Looney.

Mining—Cameron, Harmon, Smith.

Municipal corporations—Haseltine, Harmon, Smith.

Public buildings and institutions—Adams, Haseltine, Smith.

Public lands—Porter, Mulkey, Howe, Driver, Wade.

Railroads—Brownell, Patterson, Daly of Benton, Mackay, Morrow.

Revision of laws — Kelly, Reed, Fulton, Daly of Lake, Smith.

Roads and highways — Bates, Daly of Benton, Proebstel, Clem, Brownell.

Ways and means — Mulkey, Kuykendall, Selling, Adams, Patterson.

The president appointed Senators Looney and Morrow on the part of the senate as members of the joint committee, as provided under house concurrent resolution No. 1.

On motion of Senator Reed, the senate took a recess until 10:30 o'clock a. m.

The hour having arrived for the joint convention, as provided by house concurrent resolution No. 4, the senate repaired to the hall of the house of representatives.

JOINT CONVENTION.

The joint convention was called to order by Hon. T. C. Taylor, president of the senate.

The chief clerk of the senate called the roll of the senate, and all the senators were present except Senators Fulton and Howe.

The chief clerk of the house called the roll of the house, and all the members were present.

Hon. T. C. Taylor, president of the senate, read the provisions of the constitution of this state requiring the canvass of the vote for governor, and announced that the speaker of the house, in compliance with the requirements of the constitution, would now open, canvass and publish the vote for governor cast on the sixth day of June, 1898, the returns thereof having been delivered to the speaker by the secretary of state on this tenth day of January, 1899.

Speaker Carter called to his assistance Senator Kelly and Representative Ross to act as tellers and assist him in canvassing the vote.

The speaker of the house opened and published in the presence of both houses of the legislative assembly then convened in joint session the returns of the votes cast at the general election for governor on the sixth day of June, A. D. 1898, from the result of which canvass it was ascertained that there had been cast by the electors in the several counties of this state for the several candidates for governor, to wit, Hon. Theodore Thurston Geer, Hon. Will. R. King, Hon. J. C. Luce and Hon. H. M. Clinton, the following vote:

County.	Geer.	King.	Luce.	Clinton.
Baker	1,191	1,436	115	51
Benton	995	872	21	57
Clackamas	2,161	1,772	141	108
Clatsop	1,588	809	86	89
Columbia	724	534	64	48
Coos	957	1,013	139	48
Crook	667	492	25	21
Curry	301	252	6	8
Douglas	1,653	1,789	30	62
Gilliam	554	342	44	28
Grant	973	678	112	25
Harney	347	416	54	18
Jackson	1,350	1,277	389	69
Josephine	825	894	55	87
Klamath	439	342	41	15
Lake	433	323	10	7
Lane	1,929	1,885	138	95
Lincoln	479	414	14	18
Linn	1,902	2,026	145	156
Malheur	387	555	27	25
Marion	3,216	2,713	70	107
Morrow	532	470	27	17
Multnomah	10,351	4,687	266	495
Polk	1,267	1,170	60	68
Sherman	478	285	41	67
Tillamook	635	323	46	25
Umatilla	1,847	1,466	112	106
Union	1,625	1,453	245	49
Wallowa	538	354	170	22
Wasco	1,360	933	41	56
Washington	1,743	1,219	89	110
Yamhill	1,646	1,398	55	122
Total	45,093	34,542	2,878	2,219

Hon. Theodore Thurston Geer having received the highest number of votes cast, the speaker of the house thereupon declared him duly elected governor of the state of Oregon for the ensuing four years.

On motion of Representative Reeder, a committee of three was appointed to wait upon the governor, the governor-elect, members of the supreme court, the retiring state officers and state officers-elect and ex-Governor Moody and invite them to attend the joint convention, and invite the governor to deliver his biennial message, and the governor-elect to deliver his inaugural message.

The president appointed as such committee Representative Reeder and Senators Brownell and Bates. The committee escorted the distinguished gentlemen into the house, and his excellency, Governor Lord, was introduced by President Taylor, and proceeded to deliver his message, as follows:

GOVERNOR'S MESSAGE.

Gentlemen of the legislative assembly:

You have assembled, in obedience to the requirements of the constitution, for the purpose of enacting such laws as may be needed, in your judgment, better to protect the rights of person

and property, to conserve the public interests and to promote the general welfare. The important duty is devolved upon you to carry out the mandate of the people for retrenchment and reform — to abolish useless offices, boards and commissions, to cut off unnecessary expense, and to rid the body politic of abuses and hidden emoluments, if any exist; to withhold needless appropriation and reduce needed ones to a minimum, in order that excessive taxation may be avoided and that the public expenditures may be reduced to the lowest possible limit consistent with a wise and economical administration of the state's government. To qualify yourselves intelligently to perform these duties, it will be essential for you to acquire a thorough knowledge of the true condition of the state and its institutions. This knowledge will be brought to your attention through detailed reports of the various departments of the state and the institutions under their charge,—through committees appointed by your body to investigate and report on their condition and needs,—and through such information of the affairs of the state as the executive may feel it his duty to communicate for your consideration and action.

Gentlemen, you have imposed upon you grave and responsible duties—duties that you cannot neglect or evade without incurring the just condemnation of the people, and inflicting irreparable injury upon your state. They are duties that demand, for their faithful and intelligent discharge, the uninterrupted use of every available hour of the 40 days allotted for your legislative labors; duties, I repeat, that if well performed, will afford no time for factional fights or senseless struggles for mere party advantage, or trades and combinations to fix legislative appointments to office. You are assembled under circumstances fraught with less discouragements than those which confronted your legislative predecessors. The extraordinary financial and commercial depression which afflicted our country and blighted its prosperity is passing away. Already we feel the pulsations of reviving business, and hear the hum of industrial activity echoing throughout our borders. The future that awaits our state is full of promise. The natural conditions that environ it, backed by the energy, intelligence and skill of its people, and aided by wise legislation for the development of its abounding and varied resources, will make our state a center of financial and industrial activities. Nothing short of a policy handicapping its government with bad laws, excessive taxation and lavish expenditures can make Oregon a laggard in the procession of progressive and prosperous states. While it is true, there are some laws of trade and finance which control business, and which no statute can affect or abolish, it is equally true that legislative enactments often perform an important part in stimulating business and

industrial enterprise, in opening the channels of trade and commerce, in protecting life and property, and in preserving many valuable natural resources from waste and destruction. To the extent that legislation may assist in the accomplishment of these objects, without disturbing or restricting trade, it ought to be enacted. Much has been done by past legislatures to aid in the development of some of the resources of our state, and to preserve others from extinction—much to serve the public interests, by the adoption of measures of retrenchment and reform, which have kept her free from public debt and in the front rank of an advancing civilization; but much still remains to be done to supply her wants and more fully improve her resources and meet the growing demand for general enlightenment, for higher standards of public duty, for better political methods and for more economical government. Upon you, gentlemen, rests the responsibility of inaugurating such measures as will effect these reforms. You alone have the power to pass bills and change existing laws, to inaugurate measures for bettering the condition of our institutions and reduce the tax levy. You owe the people a conscientious performance of duty according to your best ability. I pray that you may not disappoint these just expectations.

It now becomes my duty to present you a variety of information concerning the condition of the state, and to recommend such measures as may be deemed to be expedient:

FINANCES.

Oregon has no debt, but there is a surplus in the treasury of \$763,699.23. The following indicates the condition of the state's finances:

The receipts into the state treasury during the biennial term ending	
December 31, 1898, including the balance on hand as per last report, were	\$2,777, C31 50
The disbursements out of the several funds were	2,013,332 27
Leaving a balance in the treasury of	\$ 763,699 23

To the credit of the following funds:

General fund	\$191,236 62
Common school fund, principal	444,898 17
Common school fund, interest	70,747 02
Agricultural college fund, principal	9,308 63
Agricultural college fund, interest	938 07
University fund, principal	3,093 27
University fund, interest	2,661 54
Swamp land fund	2,687 45
Tide land fund	19,201 57
Salmon industry fund	1,246 08
Thurston monument fund, interest	14 44
University tax fund	15,919 34
Military tax fund	1,747 03
Total	\$763,699 23

I call your special notice to the fact that the principal of the common school fund, which was \$150,398.28 two years ago, is now almost three times that sum. Also, I desire to call your attention to the fact that the tax levy of this year is greatly increased, on account of appropriations made by the special session, for objects not anticipated or contemplated by the board when the tax levy was made, towit, \$33,000 for the Eastern Oregon asylum lands, \$41,000 for the unorganized legislature of 1897, \$15,000 for the Omaha exposition, \$25,000 for an agricultural college building, and others, making in all about \$200,000, in excess of the amount levied by the board, or one-fourth of the entire tax levy.

ASSESSMENT AND TAXATION.

No matter of public concern is the cause of greater complaint, or beset with greater difficulty in its practical operation, than the law regulating the levy and collection of taxes. The cause of the complaint is the inequality of taxation. To insure uniformity and equality, it is indispensable that the law regulating assessments and taxation should be based on some rule of apportionment that operates impartially and rests on fixed principles of justice. Our law is based on the theory that all property, whether real or personal, should be assessed at its actual cash value, and, it is plain, where all property in the state is so assessed there will be equality of taxation. But the same consequences would follow if all the property of the state were assessed at less than its cash value, provided that the reduced rate of assessment were made equally to apply upon all property. The assessment being equally distributed upon all property, there would be equality in the payment of taxes. Inequality of taxation, then, is due, not to the fact that property is assessed too low, but to the fact that it is assessed unequally. Where this is the case, the burdens of government are not shared equally, and a flagrant injustice is done some taxpayers. There is not so much difficulty in framing a law that, in theory, shall distribute the burdens of taxation as in securing its proper administration. Nor do I think our law, if fairly executed, according to its intent, fails to provide for an impartial assessment of property. The difficulty is not so much with the law itself as with its administration. If the officers to whom is confided the duty of enforcing our law should strictly comply with its provisions, there would be little cause of complaint relative to assessment and taxation. There might be some amendments to our law that would operate beneficially, but its general provisions are based on principles, which, if fairly complied with, would proximate to equality of taxation and remove much dissatisfaction.

At any rate, be slow in tinkering with tax laws, and, above all, be careful to avoid thrashing over old straw, for the result of your labors will be more apt to increase, than remove, the evil sought to be remedied. The framing of a tax law to supplant an old one, expected to remedy all defects and give universal satisfaction, is a delusion; but, somehow, it is a public service always attractive to youthful and inexperienced statesmanship.

PENITENTIARY.

Considering the poor location of the penitentiary, on low, wet ground, and the conditions surrounding it, it was highly essential, as a matter of ordinary care, that ample and thorough provision should have been made for its sewerage and that its lands should have been drained in order to ward off miasmatic conditions and to promote general healthfulness; that its buildings and outbuildings should have been kept in good condition and not allowed to become dilapidated and out of repair, with a view to their preservation and better to serve the interests of economy and good government. I regret to say, that, when the prison and its belongings was received by the present superintendent, this condition of things did not exist, and while it is true that many things had been done in this direction, they had not been prosecuted to the extent demanded by the plain necessities of the situation. The condition of the prison was such that the superintendent was compelled to make many improvements and repairs, the necessity for which had existed some time and could not longer be delayed though without funds for this purpose. Notwithstanding the difficulties which confronted him, the superintendent, by practicing rigid economy and intelligently utilizing the prison labor, was able to make pressing repairs and needed improvements. Besides mending the floors, putting in new window sills, planks in porches and guard walks, where they were rotten and broken, he painted portions of the building and fences, where needed for their preservation, and especially a large structure built of corrugated iron, that was rapidly going to decay from exposure to weather. Also, he built a new flume for the water race, cleaned up the prison yard and the channel of the stream and its banks therein, and renovated a portion of the sewerage escape, which when opened, disclosed that it had been illy constructed of unfit material, that made it a hotbed of filth and a breeder of disease; reclaimed several acres of wet lands, and tiled and drained others, to render them profitable for agricultural uses, and prevent malarial conditions. It is believed that the prison and its belongings are in a fair condition, considering the limited means for its repairs, though there are other improvements needed, especially with reference to its sew-

erage. I ask special attention to the report of the superintendent, and believe that his recommendations should receive favorable consideration. I reiterate the recommendation, that the penitentiary, through its own agency, be intrusted with the transportation of convicts. I especially request that you examine the bills for transportation, under the present system, filed in the office of the secretary of state, and ascertain whether this recommendation deserves again to be disregarded.

CONVICT LABOR.

No more perplexing problem presses for solution than the working of convicts. The penitentiary has always been a serious charge on the state, because the maintenance of convicts is necessarily expensive, unless they are profitably employed. Thus far, the result of working convicts in any enterprise, either by the state or by leasing them to private parties, has not proven entirely satisfactory or very remunerative. It was a serious and expensive mistake when the state bought the foundry plant and undertook its operation. Its profitable management was, no doubt, greatly handicapped by the financial depression, but, generally speaking, such business enterprises are more profitably conducted by private parties. Shortly after entering upon my official term, it was found that the foundry was working only a few convicts, who were piling up goods on those already manufactured, not any of which could be sold, owing to the lack of demand occasioned by hard times. To have continued the operation of the foundry under these circumstances would necessarily have resulted in putting the state at heavy expense for the purchase of raw material and the pay of superintendents and foremen, and, at the same time left on hand an overstock of manufactured goods for which there was no sale—though, of course, the board could have made an excellent showing on paper, by setting up these unsold manufactured products at a good price rate, and counting them as cash assets.

Under an act passed by the eighteenth legislative assembly, a contract was made with J. Loewenberg in July, 1895, for convict labor, and the board of managers of the state foundry leased him the plant and sold him the manufactured stock on time. His obligations to the state were not met, but in view of the bad business conditions which existed throughout the country and the desirability of keeping the convicts employed, the board deemed it better, for the interests of all concerned, to be forbearing and grant Mr. Loewenberg some extension of time to meet his payments. In the spring of 1898 an accommodation was arranged whereby he promised to make certain payments at the times specified therein, but failing to do this, his default was re-

ported to the special session of the legislature. As a result of this action, a committee was appointed to confer with the board, which committee recommended that proceedings be instituted to enforce the payments in default. After suit had been commenced, property attached, etc., it was deemed best to put the property attached in the hands of a trustee authorized to sell the same, and also to operate the plant with convict labor and use the raw material already purchased, in the manufacture of stoves, and after paying expenses to hold the surplus for payment on the indebtedness to the state until the first of March, in order to afford Mr. Loewenberg time to make arrangements to meet his obligations and preserve his business from destruction, as would necessarily result through a forced sale.

For further particulars I invite your attention to the report of the board of managers of the stove foundry.

REFORM SCHOOL.

It is thought by those who have given much consideration to reclaiming youthful criminals, that reformatories are useful and beneficial institutions. It is much better for the state to make an effort to reform its wayward youths than to send them to the state penitentiary to associate with hardened criminals. The effect of such association during their term of confinement usually is to develop their evil tendencies and make them confirmed criminals. When youthful criminals are placed in reformatories, they are separated from the society and influence of hardened criminals, and, with proper care and treatment, they may be impelled to turn from their evil habits and lead useful and exemplary lives. The effect of punishment on criminals of the depraved class is seldom to cause them to reform or to lead better lives; but for the youthful criminal, whose evil habits have not become confirmed, it is better for society to make an effort to reform him. In recognition of the wisdom of this policy, our state has established a reform school. The practical operation of this school indicates a considerable degree of success. Its expense has been greatly decreased during the past two years, and the superintendent reports that a further decrease may be made in the cost of maintenance during the ensuing two years.

GIRLS' REFORMATORY.

I desire to recommend that the wooden building now occupied by the farmer at the reform school be converted into a girls' reformatory. There are not many girl criminals, and the location of the building is favorable for their care and safety. Two or three cells might be fixed in it for the reception of female con-

victs, of whom there are seldom more than one or two, and oftener none. There is no place for this class at the penitentiary, and the necessities of the case require them to be kept strictly confined to their cells, which is an unnecessary hardship. The additional cost will be slight, as the present management will not be disturbed.

ASYLUM.

It is not simply a dictate of duty, but of humanity, that the tenderest care and best provision should be made for the comfort and recovery of that unfortunate class of our people who are wholly or in part deprived of their reason. What class can more justly appeal to our sympathies, or have better right to ask that our best thought and skill be devoted to the amelioration of their condition? No reasonable expense should be spared to furnish them with the best medical attendance, and to make their surroundings agreeable. There is no better test of the progress of civilization in a state than the adequacy of its provisions for the care, support and protection of insane. The progress made in the study and treatment of nervous diseases has been rapid and successful, being based on the idea that insanity is a disease, and should be treated, as other diseases, with a view to recovery, except where conditions exist that render such a result impossible. In conformity with this idea it is suggested that the words "Oregon State Insane Asylum," descriptive of our institution, should be changed to "Oregon State Hospital." Our state has not been backward, nor spared expense to provide suitable places for the comfortable care and treatment of its unfortunates. A good building with the best improvements, good surroundings, excellent care, and the best medical attendance, is provided for them. The asylum is, as it should be, a public generosity rightly directed, but it should not be abused. There is no doubt, owing to the laxity of our laws, that many persons are sent to the asylum, and remain there, who are not proper subjects for its charity, and that, if the defects in our law in this particular were remedied, and fuller powers conferred on the superintendent, it would greatly diminish the number accounted insane, and reduce the expense of the institution. The practice of some county courts in sending persons who are not insane, but simply affected with the infirmities of old age, to the asylum, often through the pressure of relatives, is wrong in principle, and often tends to encourage filial ingratitude. Another class, known as the "morphine fiends," who have reached the point of personal degradation where the habit is fixed and a permanent change is improbable, ought to be excluded. Nor is a hospital the proper place for the idiot. Cheap buildings, with large dormitories and few attend-

ants, under the superintendent, as an adjunct, would answer every purpose.

Gentlemen of the assembly, I here and now reiterate my recommendation of two years ago, that the asylum, through its own agency, should be intrusted with the responsible duty of conveying the insane to the hospital. To serve this purpose there should be two attendants, a man and a woman, appointed to go after patients and bring them to the institution, who should receive a fair salary as compensation for their services, and actual expenses for themselves and patients. These agents should be persons of intelligence, of kindly disposition, of steady habits and decision of character. They would soon become experts in handling patients, and quickly learn how to attend their wants and spare them unnecessary pain or mental distress. The difference in the cost, as compared with the present practice, is much greater than generally known. It is the same policy which is recommended for the state prison. Under the system proposed, it would not cost a dollar for the transportation of intended inmates from Salem to either place, while under the existing system it costs \$8.50. Under the first they would be taken in groups, to save expense, where several awaited transportation, while, under the latter, they are taken separately to fatten the job. In defense of the practice it is said that the law allows it; but the fact that such practices may exist under a law is the best reason for its repeal. There is another reason for its repeal and the adoption of the system recommended that is unanswerable. No man should be permitted wholly to have charge of conveying an insane female patient to the hospital. The law which authorizes such commitments of female patients is a relic of barbarism. What act can be more barbaric, what spectacle more revolting, than an officer dragging from her home an unfortunate woman, frantic and helpless, through crowded thoroughfares, before gaping crowds and over the railroads to her destination at the asylum? Several hours at least, and sometimes days, must be occupied in her transportation, and during this interval of time think of the indignities to which she is unavoidably exposed—think of what in many instances must be her pitiable, indescribable condition when she arrives. Common decency demands that this insult to womanhood shall cease.

The reports of the medical superintendent and of the board of trustees of the asylum are carefully prepared documents, and will furnish you in detail all information appertaining to the management of the institution.

ORPHANS' HOME.

I also recommend the acceptance of the offer of the Oregon Children's Aid Society to donate to the state the Orphans' Home,

at Salem, which consists of fifteen acres of excellent land and good buildings, containing at this time over twenty inmates. In the near future the state will be compelled to make provision for this class of friendless and helpless humanity, whose care and right bringing up concerns the public welfare as well as their own, and the present offer of the buildings and grounds, without cost, as a home for them, is a liberal gratuity that ought to be accepted with alacrity. In the event you should adopt this recommendation, the law should provide for the appointment of a board, to be composed of women, not to exceed five in number, to whom should be committed the management of the affairs of the home, and who should receive only actual expenses for their services.

STATE LAND DEPARTMENT.

Oregon has been the beneficiary of large land grants for various objects, and much legislation has been devised and enacted in regard to them, but our state has not realized the benefits and advantages which it should have received from them. All that can now be done is to take care of and dispose of what remains, so as best to promote the objects and distribute the benefits of these grants. It is greatly to be regretted that the law did not make better provision for the segregation and mapping of state lands, for indexing all sales of them and disclosing their location, and further providing that the officers in charge of the land office, when requested by a purchaser, or other interested person, should give the information asked, as appeared on the record. It would have saved purchasers much unnecessary expense, and greatly aided in conferring the benefits designed to be given by the grants. But, without legal provision, the land department office ought to have adopted rules and regulations that would have served this purpose. The records of the office ought to have been kept in such a way that a person desirous of purchasing a certain piece of state land could easily ascertain its location, whether it was taken or was for sale, without incurring the unnecessary expense of hiring a third party. By neglecting to do so, it was only possible for its officers, or those who had acquired special knowledge of the location of state lands, to consult the records as kept and ascertain the desired facts. Such a mode of doing public business offers too much temptation for wrongdoing and scandalous practices to justify its existence or continuance. Some of our statutes, however, seem to have been expressly designed to encourage spoliation of state land purchasers. The aim of the present land board has been to make the land office serviceable and inexpensive to those having business with it, and, under the direction and management of its efficient clerk and his subordinates, the records have been classified and arranged, indexes and notations on the

maps have been made, and rules and regulations have been adopted, designed to simplify and expedite the public business, and make inexpensive the doing of business in the land department.

LOANS OF THE SCHOOL FUND.

In connection with the state lands, it needs to be mentioned that loans of the school funds, in many instances, owing to the hard times and overvaluation of the land, have proven bad investments and entailed losses upon the school fund. In many of these loans the borrowers have defaulted in payment of interest, and the state has been compelled to take the security and to pay the cost of foreclosure proceedings. These judgments represent, in addition to the principal loaned and the costs of suit, a large accumulation of interest, which lessens to that amount the school fund interest to be annually distributed for the education of children in our common schools. Another source of loss and annoyance is the sale of lands for taxes two or three years overdue, without notice to the board, thus entailing further expense in redeeming them. This loss ought to be obviated by such legislation as would make it unlawful to sell for taxes any securities held by the state, without proper notice to the land board in all instances, where the taxes are in default, and in such cases making it the duty of the board, upon such notice, to cause the taxes to be paid and charge the same to the interest account, and at once proceed to procure a decree with the tax included. In making collections, it has been the policy of the board to deal as leniently as circumstances would permit with debtors to the school fund during the financial and industrial depression which so seriously affected the values of property and contracted the means of earning money. To loan the school fund and avoid losses is difficult. The persons composing the board, though they be capable in other walks of life, may not possess that business sense and judgment that is especially required in making loans. Their sources of information, respecting the value and sufficiency of the security offered for the loans, are through agents in the different counties, upon whose judgment they must depend, and who are liable at times to recommend loans that are not desirable, through entreaty of friends and a yielding disposition.

SELECTIONS OF LIEU LANDS.

The special agent appointed to select lands, under the act of 1895, has prosecuted his work energetically and efficiently, adding many thousand acres of valuable lands to the public domain. His report is full of valuable suggestions relating to the disposition of our public lands, not least among which is his recom-

mendation that the act, creating his office and its duties, having accomplished the object for which it was enacted, be abolished. There being, therefore, no further need for the continuance of the act, I concur in his suggestion and recommend its repeal.

FISHERIES.

No other country has salmon fisheries so extensive and profitable as the states bordering the Columbia river. Oregon's fishing interest is justly regarded as one of our leading industries. Salmon fish, canned or cured, constitute one of our principal exports and an important part of our commerce. The industry affords employment to many persons, and is the source of great revenue. Its growth and preservation is a matter of the highest importance to the welfare of our state. I trust that the law enacted at the recent special session of the legislature will prove adequate and effective for the purpose, and save salmon from waste and destruction.

The report of the fish commissioner is an able and interesting document, giving in full detail all matters of importance and interest connected with the fishing industries, and making many valuable suggestions for your consideration that are of the utmost moment to the preservation of this source of our revenue. It gives me great pleasure to commend the whole of his report to your attentive consideration, and to bear witness to the fidelity and ability with which he has performed the onerous and difficult duties of his office.

EASTERN OYSTERS.

Several barrels of eastern oysters have been shipped to our state by the general government upon request of the fish commissioner, and transplanted in Yaquina bay for the purpose of propagation. There will probably be more of such oysters sent when the season is favorable for planting in other suitable places in the bays and rivers of our coast. It is important that proper legislation for their protection should be enacted at once. I recommend a small appropriation for their planting and care. It is also important that some protection be furnished the native oyster from destruction by fishnets, whose repeated dragging over the beds will eventually destroy the oyster entirely.

OREGON NATIONAL GUARD.

The general government recognizes the necessity of a national guard by its coöperation in maintaining the system in each of the states. The guard is intended as a reserve force, to be used by the state always with caution, but nevertheless with firmness, for the protection of life and property, when the civil authori-

ties are powerless in the presence of disorderly uprisings or mob violence. There has been but one occasion when its presence was thought necessary and demanded by the civil authorities. This was at Astoria during the summer of 1896. To the call the guard promptly responded, and though no collision occurred, by reason of wiser counsels prevailing, their conduct was marked by excellent discipline and soldierly behavior. Their presence at Astoria involved a fundamental principle of government. It is the duty of the state to protect personal liberty as well as property. A man may work or not, as he may choose, not under penal restraint. He has a right to make his own contract and serve whom is his pleasure, consistent with public policy; and any person who, through menace, threat or force, interferes or prevents him from the enjoyment of these privileges, is a violator of the law and an enemy of his country. Such interference is a deadly blow at personal liberty, guaranteed by our constitution, and its toleration is inimical to free government. It will not be possible for our state, so greatly in need of capital, to develop its varied and abundant resources and to offer an inviting field for the investment of capital, unless it steadily maintains its constitutional guaranty to protect alike all property and secure to every man the right to pursue his daily work without molestation. But, in saying this, I must add that I favor conciliatory methods of interference through state officials to bring about an adjustment of differences between capital and labor, which shall be fair and honorable to all parties.

It is to the credit of the national guard that, to save any additional expense to the state, the suggestion that its expenses, while doing duty at Astoria, be taken out of the fund for their maintenance, was acceded to, requiring the troops to forego an encampment and other military matters quite essential to their comfort, equipment and discipline. The sum thus expended, if needed, might be refunded to the guard after its reorganization shall be effected.

When the late war with Spain was declared and our quota of troops was allotted, accompanied with the request by the president that the national guard be given preference, there was quick response. Within five days from the order for their mobilization at Portland, a full regiment, armed and equipped, with banners streaming and drums beating, marched through its streets, in response to their country's summons to duty. Within less than a month the regiment was in San Francisco, ready for embarkation for the Philippine islands, where the courage and skill, loyalty and patriotism of its officers and soldiers greatly aided in the capture of Manila and the subjugation of the islands to the sovereignty of the United States. The

enlistments to fill the quota of troops for the war left the state practically without a military guard, and the fund used to support and maintain a guard not being needed, for the want of one, has accumulated in the treasury. This sum, and the sum the state will be entitled to receive for clothing and equipments furnished the second Oregon volunteer regiment, will aggregate quite a large amount of money, which, in case the same or any part of it shall lapse into the treasury, may be reappropriated, or refunded to the guard, upon a sufficient showing that it is needed, in addition to the regular appropriation derived from the military law, for a reorganization of the guard and its proper equipment and maintenance. Our national guard is composed of excellent young men, who come from the people, and their enlistment is prompted by a patriotic spirit, to serve and defend their state and its institutions. Their presence is a pledge for good order and an assurance that the executive is able faithfully to execute the laws.

SOLDIERS' HOME.

The merits of this institution, and its benefits to the old soldiers, are too well known to require comment. The management of its affairs through a board of trustees has been careful and economical. But, in my judgment, there is no need of a board to overlook its condition and affairs. The board ought to be abolished. It would be much better that the executive should appoint the commandant, upon whom would devolve the duty and responsibility of the management of the affairs of the institution, subject to supervision by the governor, who would make regular inspections, through some member of his staff, thoroughly qualified for the duty. This system would put the home in contact with the department to which it is related, without being subject to military law, and secure a thorough inspection of its affairs at regular intervals, or on special occasions, as might be necessary, by a competent officer. This plan would doubtless be more satisfactory to all concerned, would enforce strict accountability of its officers, and secure an economical and efficient administration of its affairs, consistent with the needs and comforts of its inmates.

HORTICULTURE.

One of the largest interests of our state, and the source of much of its wealth, is the cultivation of the soil. Anything that increases its productions aids in the development of the state. As connected with farming, horticulture is a profitable adjunct, and the interest now being manifested in the culture of fruits promises to develop a leading industry, diversifying farming, and

adding greatly to our wealth. Such being the case, horticulture should be encouraged, under such regulations as will be productive of the best results. For comprehensive treatment of this subject, I invite your attention to the able report of the board of horticulture, and recommend that sufficient funds be appropriated for the continuance of this valuable work as essential to the best interests of the state.

FORESTRY.

The frequent destruction of our forests by fires, caused by carelessness or design, should be stopped. Their preservation is a matter of great importance, and, if something is not done to prevent it, great injury will result to our timber interests. I am glad to note that the government of the United States, through the agency of the land commissioner's office, is making some praiseworthy efforts to this end, but I believe that forest lands of the state, being within its sovereignty, and its people interested in their preservation, should be under state dominion and control, and that the state should devise laws and provide means for their enforcement, to prevent the destruction of forests by fire.

IRRIGATION.

This is a subject of considerable interest to the people of the eastern part of the state. We have many acres of land, known as arid lands, that could be made wonderfully productive and profitable under the fertilizing influence of irrigation. The problem of water supply for these waste places is becoming every day more pressing, but its solution is confronted with many difficulties. Whatever law should be enacted, great care should be taken to protect the interests of the people and prevent them from being seized under the guise of public good by private corporations for speculative purposes.

ROADS.

There is at this time an active interest being taken in the subject of good roads. The movement should be encouraged. Good roads are of such public utility and importance and are of such general interest that measures designated to secure them will be submitted for your consideration and action. Our present law is lamentably behind the age in the matter of road improvements; it ought to be gotten rid of and some other adopted looking to a systematic effort to improve our public highways. A new system should be provided. All road taxes should be paid in money, and the present system of working out road taxes at extravagant wages under supervisors, often selected without reference to their qualifications, should cease. I earnestly beg your

attention to this subject, in the hope that you will bring about some legislation that will result in securing the improvement of our roads.

EDUCATION.

The general diffusion of knowledge is the best guaranty of the stability of republican institutions. Their safety and prosperity depends on the spread of knowledge among the masses. The fact is now recognized that intelligence in communities is essential to social progress, and political reform is conducive to sobriety and industry and serves to establish justice and promote the public interests. As a means of disseminating intelligence, our common schools are most active and potent factors. There are no other instrumentalities comparable with them for the accomplishment of this object. They seek to increase the general average of human intelligence by the education of the rising generation, and in this way to elevate the citizen and strengthen the state. The state cannot neglect its educational interests without loss of public intelligence and detriment to its well being. It is gratifying to know that the subject of education always attracts much attention from the legislature on account of its importance in the development of an intelligent citizenship and a progressive civilization. How to devise a system of education that shall extend its opportunities and benefits to all the children of the state, without entailing too heavy a load on the taxpayer, is a problem not often easy of solution. A law, simple in its provisions and inexpensive in its arrangements, is what our state needs for the attainment of this object. Our present school law has become a clumsy and costly contrivance from too frequent patching by way of amendments, some of which seem to have no reference to its symmetry or general design, and always providing, as a condition precedent, for the payment of fees that serve no educational purpose and are an unjust tax on the teacher. The whole law ought to be repealed and a new law enacted, embracing its meritorious provisions, leaving out what is defective and useless and including such other provisions as will make an efficient and an inexpensive common-school system, relatively considered.

It is impossible to enter upon details, and probably unnecessary at this time, as there are assurances that some of our educators will present these matters to the consideration of the legislature. There is, however, serious need for reform in the method of issuing state certificates, diplomas and life diplomas. If the number of these documents issued by the present board even approximately represents the number issued by our predecessors, they must be scattered over the state "thick as autumnal leaves that strew the

brooks of Vallombrosa," and worth but little more as evidence of capability for teaching. The original design of the law was simple and excellent. It contemplated that the board of education should appoint a board of examiners, composed of men trained in practical teaching and of scholarly attainments, who were to meet at the capital twice a year for the purpose of examining applicants for teachers' certificates and diplomas, and recommend to the board such teachers as became entitled to them. By this method the state secures the service of trained men to select teachers, and the diplomas issued on their recommendation by the board would be of value to their possessors, as affording some guaranty of their fitness and qualification. Such examinations would tend to weed out incompetency and secure a high grade of teachers for our public schools, and thus prove of incalculable benefit to the children of our state. It is to be hoped these matters, and all others connected with the school law, will receive that attention and consideration which the public interest demands. For details of school matters, I refer you to the superintendent's report.

NORMAL SCHOOLS.

The object of the normal schools is to furnish teachers for our common schools. The scope of their work includes special instruction in those branches of education which are taught in the public schools, and thorough training in the science of teaching. The effect of their work, when successfully prosecuted, is to increase the usefulness of the teacher and elevate the standard of our public schools. Our normal schools are a useful and indispensable adjunct to our common-school system. Without them we cannot expect to have young men and women trained and equipped to supply the demand of our local schools. It is gratifying to know that the value of normal training is recognized by our people, and that the work of the normal schools is progressing satisfactorily, and resulting in great benefit to our common schools. Let them be held strictly to the true object of their work, and aloof from educating in other branches, or for other purposes than training experts for teaching; then their success is assured and their expense will probably be greatly reduced.

UNIVERSITY.

There are those who think our university should not receive financial support, while there are others who think it is bad policy and worse economy to withhold from it any needed aid. It is no doubt true that taxation is for the general benefit, and that objects of its fostering care should conserve the public good. But the fact that comparatively few can enjoy the university's

advantages is not conclusive that its benefits are not for the public welfare. If the university is an essential part of our educational system in conducing to the progress and development of our state, and to the prosperity and intellectual greatness of the people, it is of general benefit and entitled to receive public support. The university aims to furnish such an education as will enable those—always the few—who possess the requisite abilities, to become useful citizens and leaders of thought in the professions, in statesmanship, in the various branches of learning, in philanthropy and works of charity, in promoting industrial projects and conducting commercial enterprises, and in devising methods for the moral and political advancement of the people. Its existence is due to recognition of the fact that the state needs captains in every department of life, affecting human happiness and welfare, and that, as a means to this end, it should provide an institution of learning whose course of study would lay the foundation to supply them; and perhaps, too, some of those benefactors of our race, whose enlightened influences shall hereafter be traced in the improved condition of our species, and in the increased prestige and power of our state. The state cannot afford to wait or depend on local enterprise, or church organizations, to establish and maintain institutions of learning—splendid and worthy as have been their efforts and success—for the accomplishment of these great objects of public concern. The crown of our educational system is the university. We should strive to lift it to a plane where it may compete with similar institutions of other states, and save our children the necessity and expense of going abroad to acquire a higher education. It is entitled to receive the financial aid and fostering care of the state. Money spent to further its legitimate aims and ends is not a gratuity but a good investment for the state.

AGRICULTURAL COLLEGE.

Our people, to a large extent, are engaged in agricultural and industrial purposes. A sound, practical education along the lines of these callings or vocations is a need of our people, and its benefits to the state cannot be overestimated. To fill this want is the object of the agricultural college in our educational system. Its chief end and aim is to give its students a thorough agricultural and mechanical training, as distinct from college or university courses. It is a different education in practical results from a university education, but is not in conflict with it. In this age when so many industrial projects require mechanical or scientific education for their management, the agricultural college affords excellent opportunities for acquiring such an education. It is gratifying to know that the present management

of our agricultural college has been attended with unusual success, and that its results in all departments are highly satisfactory.

DEAF-MUTE AND BLIND SCHOOL.

It has often occurred to me that it would have been far better for the deaf-mutes and blind, and cheaper for the state, to have delayed several years the building of our present institutions for them, and to have sent these unfortunates to some old established school, fully equipped in all its departments, embracing many branches of art and trade, presided over by skilled teachers—always difficult to procure in a new country—and affording many advantages that new institutions cannot provide. Some states find it much cheaper and more satisfactory to pursue this policy than to maintain such institutions. Among the causes leading to the premature building of such institutions are the creation of new offices and places, and the increase of appropriations that serve to stimulate local business. These are considerations, though, which come too late to be of benefit, but they may serve to show the necessity of intelligent and economical management of the affairs of such institutions. These unfortunate people are entitled to the deepest sympathy and liberal support, because of their helpless and dependent condition. This is especially true of the blind, who are shut out from all recourse to the beauties of nature or works of art, which are a source of so much mental elevation and pleasure, and must grope their way through life in darkness and ignorance, except as by training they may be made to advance in learning, and to comprehend the beautiful in nature and in art. Not quite so unfortunate, but equally worthy of your kindest consideration, are the deaf-mutes, some of whom possess great quickness of parts, and a mental capacity that, when trained, makes them useful and self-supporting citizens and leaders in some departments of business. It is the duty of the state to make ample provision for these unfortunates, and to afford them every facility for their improvement and the betterment of their condition, consistent with an economical management. At this time the expense of maintaining the blind school is disproportionate to its benefits—though, perhaps, unavoidably so—owing to the small number of its students; but since the law requires this institution to be conducted, I do not believe its expense can be avoided and the aims of the mute school and the blind school be subserved by permanent consolidation. As the asylum is greatly in need of more room for its patients, and some provision will have to be made for their accommodation at once, it will be cheaper and better to turn over the present mute school and its

lands to the asylum, and build a mute school in town, where the education of its students would be greatly aided and facilitated by contact with other people. In view of these facts, it might be advisable, temporarily, for the mute school to use the blind school building, and to include the blind students in its management, except as to recitation exercises, until a mute school can be erected in town, during the ensuing two years. At the expiration of that time the blind school will probably need its own building for the use of its students.

REGISTRATION LAW.

The need of a registration law in our larger towns is so manifest that there is almost a universal demand for the enactment of such a law. There seems to be an impression that our supreme court, in *White v. Commissioners*, 13 Or. 317, laid down a rule that would render any registry law that might be devised unconstitutional. Though I do not concur in the reasoning of the opinion (which I think is able, and which, I believe, has been the subject of undue criticism), it is manifest, from the concurring opinion in the result and the dissenting opinion, that the majority of the court thought that a registry law could be enacted that would be constitutional. My own view is that where the constitution confers a political right without designating the manner in which such right is to be exercised, it carries by implication sufficient procedure to ascertain in whom the right exists, for its orderly exercise or enjoyment; but that procedure must be subordinate to the right—it must not impair or destroy it. In other words, that the legislature may regulate the exercise of such political right, but, in doing so, it must not embarrass, impair or destroy it. This is what I understand to be the effect of the decision in *Capen v. Foster*, 12 Pick. 488, to which reference was made in the concurring opinion. The constitution of Massachusetts confers the right of suffrage, but does not designate the mode of its exercise. In construing the constitution so as to warrant the legislature in adopting reasonable regulations for the exercise of the right to vote, Mr. C. J. Shaw, in that case, was careful to put this limitation on the power of the legislature. He said: "Such a construction would afford no warrant for such an exercise of legislative power as, under the pretense of color of regulating, should subvert or injuriously restrain the right itself." This is what I thought our law did—impair, injuriously restrain, etc., the right itself—and hence the law was unconstitutional, and necessarily I concurred in the result, though through a mode of reasoning which was not inconsistent with a registry law. I think a registry law could be enacted that would be constitutional.

SUPREME COURT.

The business of the supreme court has increased so rapidly that the court is now behind more than two years in the hearing of causes. It is imperative that some relief should be afforded the court, so that a prompt hearing and adjudication of causes may be obtained. It is thought that our constitution limits the supreme court to three judges, and, if this is so, there is no means of increasing the number of judges, except by amendment, which would require too much time for its adoption to afford the desired relief. To remedy this condition of affairs, the appointment of a commission is proposed, to serve for a term of four years, to assist the court in hearing and deciding cases, in the expectation that within that period its docket will be cleared, and, in the meantime, if the proper steps are taken to secure the adoption of an amendment, so as to increase the number of judges, then there will be no future accumulation of causes.

There is this much to be said for the proposition to appoint a commissioners' court, namely, that the constitutionality of such a body has been fully tested in the courts of several states and the decisions have uniformly been favorable to their validity. This being so, there will be no question involving their validity of its judgments and embarrassing the supreme court with their determinations, as would likely be the case with the judgments of the supreme court if two additional members were added to that body. Nor can there be any doubt that the commission would be able to deal promptly with pending cases and greatly aid in their prompt disposition and thus afford the desired relief to the court and litigants. For these reasons it is desirable, if a law is to be enacted authorizing a commissioners' court, that it should be passed at once in order that such court may begin the work of relieving the congested condition of the supreme court docket. Or, if your body shall not be disposed to adopt this recommendation, then I suggest this plan: *First*, to enact a law that shall limit appeals in civil cases to the supreme court to those involving title to real estate or matters affecting the public revenue, the construction of the constitution of the state or of the United States, or where question of franchise is raised, or where the amount of the judgment exceeds \$500; *second*, require the court to file written opinions only in cases where the judgment or decree of the lower court is reversed, leaving it optional with the court to write and file opinions in cases affirmed. The records of the supreme court show that about 30 per cent. of the cases appealed are under \$500, varying from less than \$50 to that sum. The fact that the court is over two years behind in its work serves as an inducement to appeal cases in many

instances to delay justice or cause vexation and expense. It thus tends to encourage litigation and breed discord in the community. That chronic argument that every citizen should have the right to appeal, no matter how small the sum, is entitled to little consideration. The community should not be taxed several hundred dollars to gratify two obstinate men in banding some trivial matter through the courts, when its merits can be fully considered and decided in the circuit court as a court of last resort. The effect, then, of limiting appeals to the supreme court, as indicated, would be to cut down one-third of the appealable cases, which would be a great gain; and leaving it optional with the court to write opinions in cases affirmed, would greatly aid in relieving the court, and perhaps enable it to keep pace with its work and at the same time afford the court more time for the preparation of opinions in cases where important principles are involved.

CIRCUIT JUDGES.

The organization of new counties and an increase in the population has led to the creation of more circuit judges than are warranted by the requirements of public justice or the interests of economy. The work of the different judges is notoriously unequal. In the first district, where the population is rural, and (according to the state census) numbers only 24,537, there are two judges, while in the adjoining district, which has much greater business activities, there is a population of 52,079, with one judge. In the sixth district there are but two counties with only 16,968 inhabitants, and one judge, while in the third district there are 75,019 people, with two judges. Again, in the ninth district there are only three counties, with a population of 9,248 and no large town, with one circuit judge, while in the fifth district there is only one judge to a population of 54,613, almost six times as great and including several towns of considerable size, full of business activities and much more exposed to criminal litigation. There is needed but one judge in the first district, with another county added to it. The powers of the municipal judge in Portland might be increased and broadened. Instead of fourteen, there are only eleven circuit judges needed to do judicial duty, if the districts were readjusted and the labor equalized. Upon this subject I know that my recommendations are practical, feasible and economical, but, I own, I am not confident of their adoption.

ATTORNEY-GENERAL.

The office of attorney-general is important in its relations to the public service, and its abolition would be detrimental to it. The supposition that its duties are not arduous and not needed is a

serious mistake. This officer is kept almost constantly employed in advising and furnishing written opinions to the various officers, boards and commissions, and in trying appeal cases in the supreme court. It is true that his opinion is only advisory, but that fact makes it none the less valuable, nor furnishes a reason for dispensing with it. It is not thought, under the law, that the attorney-general is required to practice in *nisi prius* courts, but it is due the present attorney-general to say that he has always appeared in the circuit courts, when specially requested and his services could be spared from his regular duties.

DISTRICT ATTORNEY.

As a matter of economy and justice, the state salary of district attorneys ought to be abolished. These officers are paid fees, whenever they appear for the state or county, and no injustice would be done them in cutting off their state salary. This would compensate for the office of the attorney-general, upon whom devolve many of the duties that formerly were wholly attached to their offices. In the interests of economy, I think, the district attorneys will sanction the suggestion.

TRIALS.

At present our law requires a unanimous verdict of the jury in civil and criminal cases. The failure to obtain a unanimous verdict is often the cause of mistrials, which greatly increase the expenses of the courts and of litigants. It is suggested that the public interest, as well as the interest of litigants, might be better conserved, if the agreement of two-thirds or three-fourths of a jury upon a verdict should be sufficient in civil cases.

CRIMINAL COSTS.

The burden on our taxpayers under our system of taxing costs has become so grievous that some relief must be afforded them by this legislature. It is not believed that our officials are not honestly performing their duties, or that the evil complained of lies in the administration of the law, but in the law itself, and, until it shall be radically changed, there can be no effective reform in the system, or relief afforded our overburdened taxpayers. Under our laws, in all criminal prosecutions before a justice of the peace, or before the grand jury, with a few slight exceptions, where the prosecution is unsuccessful, or where, if successful, the costs cannot be made out of the defendant, which is commonly the case, all the legal costs, including officers' fees, jail fees and fees of witnesses, are paid by the county; and to these costs must be added the costs in all misdemeanors and felony cases where there is a dismissal or *nolle prosequi*, or where,

for any cause, the defendant is discharged before indictment, or after indictment and before verdict. It thus appears, except in the few cases where costs may be disallowed because of the frivolous or malicious nature of the prosecution, that the costs of criminal prosecutions are practically guaranteed by the county, with the obvious result of encouraging useless prosecutions—which is a radical fault of the system. As a matter of fact, the costs are taxed to, and paid by, the county, even in cases where the prosecution is successful and the judgment for them is enforceable against the defendant, but, as the county can only be indemnified for its costs by the collection of such judgment through its officers, and as they, having already been paid their fees, are apt to forget its existence, the judgment is allowed to become dormant or fall into “innocuous desuetude.” Another fault of our system, which is the cause of much expense, comes from multiplying hearings or trials. Before a defendant can have a trial which is to determine his guilt or innocence, he must pass through three stages of examination or trial—*first*, there is the preliminary hearing before the justice of the peace, who, if he finds evidence of probable guilt, binds the accused over to the court; *second*, the hearing before the grand jury, and, if they find a “true bill,” then comes, *third*, his final trial in the criminal court. Nothing short of a radical reform in our system of criminal costs can furnish the relief demanded; how to accomplish this result is the question. I would recommend that a joint committee of three or five persons be appointed, composed of men able and competent to examine the laws of other states, such as Georgia and some others, where important reforms have been effected, greatly decreasing the expense of costs in criminal cases, to report what changes, if any, are needed in our system, or report a bill making such changes as will furnish the desired relief.

BOARDS, COMMISSIONS AND LEGISLATIVE APPOINTMENTS TO OFFICE.

Our scheme of government contemplates a division of powers into three great departments, known as the legislative, executive and judicial. It is intended that these departments shall be separate and independent in the exercise of their functions, and any infraction of the principle which confines each to its own appropriate sphere of action, is inconsistent with the spirit of our institutions, and an encroachment on the prerogative of the department affected by it. Moreover, where this division of power and responsibility is strictly maintained, no department interfering with the action of any other, but each moving in the circle of its activity in conformity with the general design, there can be no confusion of authority, and every department will be

answerable for the conduct of its own affairs. But while these departments act independently, and exercise different functions, in subordination to the general plan, they constitute one government, whose strength and symmetry lies in the preservation intact of this division of power and responsibility. Hence, any action of one department in assuming duties that belong to another, or in transferring to some board or commission duties that belong to one of the other departments, whether sanctioned by custom or otherwise, is a usurpation which is inexcusable, and ought to be summarily condemned. This confusion of authority, too, has the tendency to divide responsibility, which, experience has proven, is inimical to good government.

At the present time there are several boards, composed of the executive, the secretary of state and the state treasurer, or of the two former and the superintendent of public instruction, who are invested with authority to appoint superintendents to the various institutions of the state, and these superintendents, under the supervision of such boards, manage these institutions and administer their affairs. These boards are known as the trustees of the asylum, of the reform school, of the deaf-mute school, of the blind school, etc. The boards are invested with the power of appointing superintendents (who cannot appoint their subordinates without the board's consent), and of making rules and regulations for the government and management of the affairs of the institutions not inconsistent with our laws. In effect, the board administers the law regulating the management of such institutions through the superintendents, when the full responsibility of the administration of their affairs under the law ought to devolve on the superintendents, subject to such supervision by the governor as may be embraced in his constitutional duty "to take care that the laws be faithfully executed." Every officer, in discharging his duties under a law, is its administrator. Upon him ought to rest the full responsibility for the faithful discharge of his duties and the economical management of the institution committed to his charge. There can then be no bandying of responsibility between him and the board. The superintendent will be personally accountable for his conduct in the discharge of his trust. He will be rid of the ugly task of trying to balance his official conduct to suit the idiosyncrasies of three members of a board, which is always impossible of performance; for, it is a scriptural saying that a man cannot serve two masters; ergo, he cannot serve three. The truth is, divided authority is inimical to economic and responsible government. Nor is there public need of such boards, which fact, of itself, should be sufficient to demand their abolition. There is no place in the scheme of our government for their

existence. The legislature has no authority to create boards and invest them with authority to appoint public officers to discharge important duties that concern state affairs. The power to appoint belongs to the executive department, or to the people, by election. The legislature has no legal right to exercise such power, much less to delegate it to a board or commission. It goes to the full extent of its powers, when it provides by law for the election of officers by the people, or their appointment by the governor, as may be deemed best, when not prescribed by the constitution, and to declare their duties and responsibility in the conduct and management of such institutions. It is on this principle that the superintendent of the penitentiary is appointed and discharges the duties of his office. He directs, manages, and superintends the affairs of the penitentiary on the same principle that other officers discharge the duties of their office. He appoints his subordinates, who are subject to his direction and authority. The responsibility of managing the institution economically and effectively devolves upon him, subject to the supervision of the executive. What possible use, then, can there be for a board? There is none. A board is a mischievous administrative instrumentality, because its effect is to divide responsibility, destroy the symmetry of our governmental system, trench on the prerogatives of the executive, and injuriously affect the management of the institutions.

However, a board composed of three, or even six members, authorized to inquire from time to time into the condition and management of state institutions, and the treatment of their inmates, and to report the result of their investigations to the executive for his information, with such suggestions for the improving of affairs of such institutions, and preventing abuses, as to them might seem desirable, would be a useful body, serving an excellent public purpose; but beyond the performance of some such duties, its powers ought not to be extended—certainly not to be invested with authority to appoint superintendents or officers, and through them manage and control such institutions.

But, it has been said, the object in creating these boards was to increase the salary of the governor (and, likewise, of other state officers), the implication being that, to raise it directly and commensurately with the duties and responsibilities of the executive office, would be unpopular and unconstitutional. The supposition is absurd. The passing of an act to effect indirectly an increase of the salary of an officer ought to be more unpopular than the passing of an act which directly increases it. If the people will consent or submit that the increase should be effected through the agency of a board, they will not object that it should be accomplished by a direct increase of salary, which

only affords him reasonable compensation for his services. Nor is the objection to an act directly increasing the salary of the governor of any constitutional weight. It is entirely within the constitutional province of the legislature to raise the salary to such sum as is just and proper in its judgment, and the best lawyers and judges—some of whom served in the convention that framed the constitution—have expressed opinions on this subject with a unanimity that could not exist if there were any doubt of the constitutional power of the legislature to do so. It is not the salaries of officers that embarrass the operation of government, or burden the people with excessive taxation. It is "jobs," wasteful practices, lavish and unnecessary public expenditures, pillaging state contracts, useless boards and commissions, freebooting the treasury with fictitious claims and needless appropriations, that put an unjust burden upon the people, and serve to retard the growth, development and prosperity of the state. The state is entitled to honest, efficient and intelligent service, and no detriment comes to it, or disadvantage to its people, by awarding a high compensation for such service. Of course, if any officer sincerely believes that the salary in excess of the sum mentioned in the constitution is unconstitutional and void, as an honest man, under oath, he could not accept such salary without moral perjury and self-abasement. But, gentlemen, it is vastly more important that these boards be abolished, and thereby an end put to a system that affords temptation to favoritism and opportunity for the existence of abuses, than that they should be continued as an excuse or justification for raising salaries of state officers indirectly.

The offices of dairy commissioner and veterinary surgeon should be consolidated in one office, under the latter, at his present salary, and the domestic animal commission should be abolished. There should be one railroad commissioner at least, with a clerk, to guard the public interests, and a board of equalization, composed of three members appointed by the governor, whose duties should be confined to equalizing the state taxes between the counties, leaving the matter of taxation for county purposes wholly to the counties.

Recurring to the mischievous effects of boards or commissions appointing officers for administrative duties, let me add that while the appointment of officers by the legislature is not so objectionable, it is nevertheless wrong in principle and of doubtful validity, though sanctioned by custom and sustained by some judicial precedents. The courts, as the cases will disclose, have sanctioned legislative appointments with reluctance, and under circumstances which furnish the explanation and justification of their decision. In the late case of *Eddy v. Kincaid*, 28 Or. 559,

where the question involved was the power of the legislature to appoint railroad commissioners, Chief Justice Bean said: "We feel constrained to hold the act constitutional, although, if the question was one of first impression, the court, as at present organized, might probably hold otherwise." It was on account of the reasons and circumstances to which the chief justice alluded, and the hesitation which a judge always feels in declaring an act of the legislature unconstitutional, that the court was induced to uphold the act and thus sanction legislative appointments to office. That the court felt such appointments to be of doubtful constitutional propriety, as an original question, is emphatically announced, and it must be conclusively inferred that the court felt that all laws authorizing the legislature to exercise such function ought to be repealed. How much more objectionable, then, is the delegation of such power to a board. The truth is, the power to appoint to office, when not lodged in the people, belongs to the executive. It is a prerogative of his office, and needs no express declaration in the constitution to establish it. The legislature ought not to make any appointments, except of officers of its own body. The logical consequence to which the exercise of the power by the legislature may be carried furnishes the strongest argument for its abolition. For, if it be a legislative function, then there is no limit to the power of the legislature to select officers, or to create offices, and fill them, when required for public service, except such officers as derive their title from the constitution. Upon this theory, the legislature may absorb all power to appoint officers for the public service, or to manage the state institutions, except the few named in the constitution. Instead of appointing, as now, the pilot commissioners, the state librarian, the food commissioner, etc., the legislature could extend the list by appointing superintendents of the penitentiary, the asylum, the reform school and others, when required for the public service. Such a grant of power to the legislature was never contemplated by our constitution, and is inconsistent with its spirit and letter, and the further exercise of it ought to be stopped at once and vested where it properly belongs, either in the people or in their executive. Such a change would be of incalculable importance to the members of this legislature. Your every step would not be hounded by the persistent officeseeker; much of your time would be saved for legislative service, which is your legitimate duty; vote-trading and combinations to assist political friends or pay off political debts, would come to an end; you would find yourselves in the possession of the disposition, and the opportunity, to perform your legislative duties with fidelity and deliberation, which, I hope, would include the adoption of the reforms already suggested, which I confidently believe, when

enacted into law, would be so pregnant with public benefits as would embalm the memory of this legislature in the hearts of a grateful constituency.

APPROPRIATIONS.

The custom of including appropriations of the public moneys for every conceivable purpose, general and special, in one bill, is thoroughly bad, and ought to be stopped. There are certain fixed charges, such as salaries of officers and liabilities created for the support of state institutions, usually known as current expenses, for which specific appropriations may be embodied in one appropriation bill; but in all other cases, a bill ought not to include appropriations for more than one object. By this method—a method I recommended in my inaugural—every appropriation must stand or fall upon its own merits. This would afford the executive an opportunity to interpose any objection that he may have to an appropriation, without delaying the passage of appropriations that are not objectionable and meritorious, and thus put in practice that wise principle incorporated in the constitution of some states, which allows the executive to veto specific items in the general appropriation bill. In aid of this principle, I suggest that the committee on ways and means adopt a resolution in effect refusing to embody any item in the general appropriation bill that does not properly belong to the current expense account of the state, and requiring all appropriations for specific objects to be carried in separate bills. Under the practice which has prevailed in this state of including appropriations for every conceivable purpose in one bill, and delaying its introduction until the expiring hours of the session, when there is no time for the members to examine it carefully, or for the executive to exercise his power of veto without defeating the whole appropriation bill, lavish and unnecessary appropriations have been secured and the interests of the people disregarded. To illustrate: At the session of 1895, the general appropriation bill, covering over a million of dollars, for many and various items, was presented to me for my signature during the last hour of the expiring session, being between 11 and 12 o'clock, Saturday night. The alternative was presented to me of approving the bill as a whole, notwithstanding it contained many items of an objectionable character, as well as of doubtful validity, or vetoing it and leaving the state without appropriations for the two ensuing years, unless I called an extra session. I did not want to sign the bill, for I had denounced this method of forcing the executive, in my inaugural, but I had no time to think, or for conference; I was not familiar with executive duties, nor with its surroundings, and, under protest, I yielded my assent out of an

overweaning respect for precedent and a dread of a condition of affairs which might necessitate an extra session, which is always a doubtful experiment. What I ought to have done is this: I ought to have vetoed that bill in three lines, and returned it with the veto to both houses before their adjournment, and at the same time notified them that I should issue a proclamation convening them in extra session the following Monday, for the purpose of appropriating funds to defray the current expenses of the state, and disposing of such matters as were left over or needed their attention.

Gentlemen, I repeat that bills for the appropriation of public moneys should be submitted to your body a sufficient length of time before the end of the session, to afford ample time for their scrutiny and for the exclusion of all unnecessary expense; and that the practice of delaying their introduction until the last hours of the session, when the members have no time carefully to examine the items, nor the executive to exercise his veto, without defeating needed appropriations, is thoroughly vicious and a fraud upon the public service. In this way unnecessary appropriations are secured, lavish public expenditures are encouraged, and the interests of the people are disregarded. Nor should you give your assent to an appropriation, though its objects be worthy, that is not essential to the public service and the necessity for which is not clearly shown to your satisfaction. The practice of distributing the public money to various institutions of a private character, or, at least, not under state control, nor responsible to the state for the manner of its expenditure—meritorious as may be the objects of such institutions—is an inducement to multiply their number and encourage every imaginable scheme for obtaining funds from the public treasury. Where appropriations for such purposes are permitted to pass unchallenged, there will always be the temptation to organize various enterprises, as institutions of a quasi-public character, and fasten them on the body politic, to secure appropriations for stimulating local interests or booming speculative projects. All such appropriations are wrong in principle, and ought to be discontinued. Not a dollar of the public funds should be appropriated for the support of any institution not accountable to the state and organized to serve the public interests. Not a dollar should be appropriated even for the support of public institutions whose existence and maintenance are essential to the public welfare, until the necessity of the appropriation asked is made plain, and its amount is clearly shown to be indispensable to the general welfare. Adopt this rule, and apply it to the purposes for which you are asked to make appropriations, and there will be no funds to use for lavish expenditures or to support wasteful

and extravagant practices; and, from the necessity of the case, economy and good business management will pervade every department of the state and its institutions.

To reach this desirable condition of affairs, there is no way so direct and efficient as the limitation of appropriations to the actual needs shown to exist and the denial of appropriations for deficiencies, unless caused by some unexpected emergency, or a plain showing that the amount appropriated was insufficient for actual and necessary expenses. The custom or habit of allowing deficiencies to occur, in the expectation that the legislature will, without inquiry, and as a matter of course, make appropriations to cover them, ought to receive a good, hard bump against the bedrock of legislative economy and good sense; and another custom, thought lately to be in vogue, of devising schemes to expend an appropriation when its legitimate uses would leave a surplus to lapse in the treasury, is still worse, and deserves the severest reprehension.

When the legislature shall take any effective mode to ascertain how many persons are employed in a department or institution, the salaries or wages paid its officers and employés, the nature and amount of work performed by them, the kind and quantity of food consumed, the methods of procuring supplies, the extent and variety of purchases, the expense of growing grain or stock, the means for economizing food, clothing, fuel and drugs, and carefully scrutinize all matters and things connected with the support and expenditures of such department or institution, as a business man would who expected to provide funds for the same, you will then get at the bottom of their needs and be prepared to estimate their expenses and the amount of appropriation necessary for their support and maintenance. This kind of scrutiny is always beneficial to the public service. It tends to weed out the incompetent or corrupt official and reward the capable and honest. An upright official stands in no dread of a rigid scrutiny of his affairs. If any of our heads of department or superintendents of institutions have pursued vicious methods in doing the public business, or have been guilty of reckless expenditures, let them be exposed; but, on the other hand, if they have discharged their duties with fidelity and economy, give them the credit due a faithful public servant. I believe and assert, taken as a whole, the administration of these officers in their respective spheres of duty has in general been economical and honorable; that expenses have been in the main curtailed; that the public service in many respects has been considerably improved, and that the public interests have been steadily guarded and maintained. For them, I challenge the most searching inquiry that you may institute. I assert that they stand in

no dread of you or your power to investigate the truth, and I say that they despise, as every honest man should despise, the perfunctory or "fixed" committee, constituted to gloss ugly facts and manufacture fraudulent reputations for dishonest, worthless or incompetent officials.

CONCLUSION.

Gentlemen, as representatives of the people, it is your prerogative to enact legislation that shall better our laws, promote our growth and development and advance the cause of civilization and good government. My duty of coöperation with you in this laudable and needful work now comes to an end, but I doubt not that my successor is ready to join with you in a resolute effort to reduce expenses and lighten the burden of taxation; to promote reforms and protect the public interests.

Profoundly grateful for many honors bestowed, and deeply sensible of aspirations not fully realized for bettering economic conditions in my state and enhancing the well-being of its people, I now surrender the high trust confided to me by their partiality, sustained by the consoling reflection that—whatever may have been my shortcomings—my constant aim has been to administer its powers on the side of right and justice, of law and public order, for safeguarding personal liberty and protecting the right of private property, in furtherance of educational progress and general enlightenment, for bettering social conditions and promoting economic reforms, in extirpating abuses and encouraging a high standard of public duty, for advancing the interests of my state and the happiness of its people.

Chief Justice C. E. Wolverton thereupon administered the oath of office to Hon. T. T. Geer, governor-elect.

His excellency, Hon. T. T. Geer, thereupon delivered his inaugural address as follows:

INAUGURAL ADDRESS.

Elected by my fellow citizens to serve them during the next four years as their chief magistrate, I come before you to assume the official obligation which requires me to support the constitution of the United States, the constitution of the state of Oregon and to see that the laws shall be faithfully executed. Deeply conscious of the great responsibility attaching to the position which has been assigned me and profoundly grateful for the expression of confidence in me, which has been so generously shown, I approach the performance of my new duties with a clearly defined ambition and intention to serve all the people of Oregon with fairness and with fidelity.

In compliance with a constitutional provision which requires the legislature to meet every two years, you are now assembled for the purpose of considering the wants of the people and of improving their condition wherever it is possible by legislative enactment. By virtue of another requirement of the same instrument it is made the duty of the executive to give an outline of the measures which, in his judgment, should engage the attention of the legislature. In obedience to this mandate, I will ask your consideration of a few suggestions, the heeding of which it is thought will subserve the best interests of the people. Your biennial assemblage is not to be regarded as a period of recreation, but rather as one of work and application. Your coming together is simply a plain business proposition. You are ninety men bearing the great distinction of having been chosen to transact important business for 500,000 people, and the same adherence to the principles of economy that governs you in your private matters should guide you with double force in the care and expenditure of public money. While ours is believed to be one of the most economically administered state governments in the union, the fact furnishes no reason why still further reductions should not be made wherever possible.

Fortunately, as it seems to me, there is no demand and, therefore, no necessity for any great amount of general legislation. The condition of the state does not require it. No radical changes are needed anywhere, and during the pending session I advise every legislator to be careful as to what public or private interest he undertakes to affect by his proposed legislation. The most searching investigation would find it difficult to recall a period during the past twenty-five years when there was so little adverse criticism of existing conditions by the people or the press, or when there was so little demand for any kind of new legislation. The general trend of our law-making efforts during the last few years seems to have been in the interest of the people, and, since the world is governed too much anyway, you can, perhaps, pursue no safer policy than to accomplish what little legislation seems necessary within the next thirty days and adjourn without further expense to the state or yourselves.

This consummation is not only desirable, but feasible, in view of the work already done by your honorable bodies during the special session in October last. The same industry shown during the next thirty days would easily meet all the demands of the people, and it is, therefore, earnestly hoped that you will give them a shorter session than the constitutional limit of forty days. Each day you are at the capital, whether in session or not, costs the state more than \$1,000, and since your own compensation is too small to offer any inducement to remain longer than the pub-

lic interest actually requires, it is hoped that the general wish for an early adjournment will be granted. During the special session in October you appropriated \$28,000 for your own expenses besides \$40,000 for a legislative abortion two years before for which the people did not receive so much as one cent in return. In view of this, it is hoped that we are not now confronted by another appropriation of \$40,000 for a full forty days' session. The various committees appointed to pursue certain lines of investigation during your vacation have worked diligently and their reports, being now ready, will materially advance your work at the outset. As a rule, the best legislative results are secured during the first few weeks of a session, and if any scheme, job or ill-advised measure succeeds it is always the product of the leisure time which the longer session affords. I am extremely anxious that this legislature shall make a record that will meet the approbation of the people, and there is not a taxpayer in the state who would not speak approvingly of an adjournment at the end of a thirty days' session.

It will not be possible to do so, however, if the usual custom of introducing a flood of bills on all conceivable subjects is to be perpetuated. The number of bills introduced at the average regular session almost, if not quite, equals the whole number of laws on our statute books; and since few of them are of an original nature it follows that, as a rule, they are simply attacks, in one form or another, on existing laws. No sooner does the common citizen become acquainted with what the law is, than a subsequent legislature changes it, and he finds himself in trouble before he knows it. Even the practicing lawyer, with the aid of a large library and the help of the courts, finds it difficult to fathom the meaning of the average legislature, and when this is so what is to become of the working man in the foothills of a distant county who has no assistance in the matter but his weekly newspaper?

The interminable multiplicity of conflicting laws is the curse of our legislation, both state and national, and burdens our judiciary whose principal business is to interpret obscure or ambiguous legislative enactments. No law should be passed the intent and effect of which cannot be easily understood by the plain citizen who is patiently building himself and family a home in a remote part of the state and thus upholding and strengthening the outposts of civilization. The laws passed here are for his government; he represents a class of people to which nine-tenths of our fellow citizens belong and to whom we are indebted largely for that subjection of seemingly insurmountable difficulties which gave us originally this magnificent inheritance. This citizen and his class should be in your minds at

all times during your deliberations, and especially during the third reading of bills. He is engaged today in that struggle which, if successful, will bring our state to that degree of industrial development which we are all hoping to realize in the near future, but his interests are not represented here save as they find expression in your votes in these two chambers. He is never represented by the professional lobbyist, and any kind of crooked legislation always results in his injury.

It would be difficult to find better proof of the excellent condition of our state, even without any additional legislation, than is furnished in a public statement made by the distinguished retiring secretary of state only last year. Among other things he said: "There are fewer state officers in Oregon than in most other states and expenses are on a very economical scale. Most of the taxes collected are to carry on municipal and county governments. The rate of taxation for all purposes, municipal, county and state, is lower than the average in other states, and the assessed valuation of property is not more than one-third of its real value, while in nearly all other states property is assessed for taxation at about its full value. For this reason, a three per cent. tax in Oregon is only about one-third as costly to the owners of real and personal property as is a similar tax to owners of property in neighboring states. The assessed valuation of all property in Oregon for taxation is about \$150,000,000, or little if any more than one-third of its real value, so a three per cent. tax on that amount is, in fact, no more than about one per cent. on the actual value."

This is a strong statement, and true, save that as to the tax levy the outgoing board has been compelled to almost double the rate for the ensuing year. This has been found necessary partly because the tax levy last year was too low to supply the needs of the state government, and deficiencies must always be met by an additional tax. Besides, the expenditures authorized by a session of the legislature one year must be charged to the next year. These levies and appropriations necessarily vary from year to year, but this increased tax levy is brought to your attention as a deterrent force in the matter of making appropriations that can, without crippling the state, be avoided.

It is to be hoped that you will give the people the minimum quantity of legislation at this session. I am disposed to speak with some plainness on this subject for the reason that I have had a somewhat extended service in your ranks and have seen and felt and even been controlled by the tendency to be over-industrious in the matter of new legislation. It is a mistaken idea to suppose that to meet the approbation of your constituents, you must necessarily be conspicuously active; sometimes a man's ac-

tivity results in his undoing. One of the greatest dangers that confronts you, gentlemen, is the fact that you have forty days at your disposal in which to do less than thirty days' work. The state's prison is not the only place where an abundance of idle time is a sure progenitor of mischief; it is seen in all walks of life.

Assuming, as I believe I have a right to do, that scores of measures are introduced in every session more from the desire to appear industrious than from a sincere wish that they should become laws, the conclusion that it is all wrong is justified by the fact that it goes to swell the expenses of the state printing,—a source of public expenditure that already amounts to vastly more than it should. Not only so, but it needlessly occupies the otherwise valuable time of the various committees. This thought naturally leads to the further consideration that this buncombe introduction of bills adds greatly to the grievous burden which already bears heavily on the army of committee clerks who are dragged here during every session from their homes in the various parts of the state.

Allow me to say a word here about this matter of clerk hire. My legislative experience reaches back to the regular session 18 years ago and in the meantime I have seen the most meager employment of clerk hire grow into an absolute public evil whose tenacity of life seems to successfully defy the opposition of campaign pledges, platform denunciation and even the public wrath itself. The abuse of this privilege has developed into a public wrong the continuance of which is absolutely without justification, and its abatement, not at some future session, but at this one, involves your reputation and mine for sincerity in the matter of public promises to the people of Oregon. I can go no further, however, than to call your attention to the necessity for its discontinuance in the interests of public economy and the fair treatment of the taxpayers all over the state who can only support their families by constant toil and exposure. These people should never be forgotten when voting money out of the treasury for any purpose, and when you employ, if you do, an army of clerks for whom there is nothing to do, you do an act for which there is no extenuation whatever.

The people are not niggardly and do not require a niggardly policy at your hands. I believe they are perfectly willing to pay a fair and even a liberal compensation to officers who perform duties for which there is a public necessity, but it has been shown time and again that more than one-half the standing committees of either house have no more use for a permanent clerk than they have for a Chinese interpreter.

As a probable means of securing relief to the people in this

matter I have investigated the records sufficiently to discover that in 1880 there were employed in the senate 14 clerks and 10 in the house. There were 268 bills introduced in both houses, giving an average of 11 bills to each clerk. In 1882 there were 28 clerks, all told, with 292 bills, giving an average of 10 bills to each clerk. In the session of 1893 there were 153 clerks employed to consider 607 bills, or one clerk to consider every four bills. In 1895 there were 155 clerks employed to properly handle 630 bills, or an average of one clerk to every four bills. Of course, it is not difficult to comprehend the mental and physical exhaustion that must be the portion of a clerk who has been compelled to follow the career of four bills through a session and only forty days to do it in.

In the session of 1895 the number of senate and house clerks proper was only 138, or 15 fewer than the session previous, but, unfortunately, there appeared at the same session a new species called "joint clerks," 17 in number, who drew nearly \$3,000 for "services" and swelled the total number, after all, beyond that of the previous session. To press this question a little nearer home, gentlemen, it becomes necessary to say that while the character and quantity of your work in the special session was very commendable, you employed in both houses 110 clerks to take care of 162 bills, or only one bill and a half to each clerk. The cost of this service was \$7,457 or \$61 for each clerk and \$46 for each bill.

Now, admitting that a number of these clerks were employed on investigating committees, the fact will still remain that the average task of each clerk was to look after not more than two bills, and most of these failed to become laws. We would be compelled to go a long way before finding a taxpayer who would grow enthusiastic in support of this sort of business.

The entire reformation of this abuse can be accomplished by a concurrent resolution providing for the appointment of a chief clerk, under whose direction a force of committee clerks could be detailed for service from committee to committee, as application might be made to him by the chairmen of the different committees. There can be no doubt that 50 clerks employed steadily for eight hours each day could easily do all the clerical work required at any session of the legislature.

But there is another abuse which has been growing from year to year, and which has still less basis for justification from any point of view. I refer to the appointment of committees to "revise the journals" of the two houses after adjournment. I have served on two such committees and know from experience that they are absolutely worthless as a means of securing the object for which they are ostensibly intended. How is a com-

mittee to know when a mistake is found in the proceedings on a certain day, when perhaps six weeks have elapsed since the proceedings were had? And when it is thought a mistake has been discovered, what right has any member of the committee or the committee itself to interpose its recollections as against the record itself? I have never known an instance where this has been done in a case where the correction was of any consequence whatever. The power given to such a committee by the resolution authorizing its appointment is absolute, without any qualification of any kind. The legislature simply delegates to a committee the power to change the record, and the right to change the record is the right to legislate. There is no legislation aside from the record. I think it safe to say that no such committee has ever exercised the right to alter the record, because it has no right to such a right. This being true, there is no use for such committee. Even the work of preparing the journals for publication by the state printer is done by competent stenographers employed by the secretary of state.

The cost of this work has been increasing from session to session with the same comfortable ratio that has attended the expense of other kinds of clerk hire. In 1889, it cost \$711; in 1893, \$1,300, and in 1895, \$1,489. For correcting the journals of the late special session \$500 have already been paid out, with some bills not yet presented.

Extended comment on the necessity for an abatement of these increasing and needless expenditures would be superfluous. The blame cannot be specifically located, but the reformation can be accomplished by a firm determination on the part of each member to return at once to the simpler methods that governed legislative bodies in earlier days. The fact that we know it would please the people to do so is all the incentive we should need to insure the effort being crowned with absolute success.

It is a source of constant regret that so much turmoil exists in many of the institutions located away from the state capital and governed by boards of trustees and boards of regents. There are reasons for believing that much of this is caused by the prevalent idea that the institution should be used as a means of permanently benefiting the town where it is situated. This perversion of intent is harmful in the extreme. Institutions have been located in various sections of the state, not with the expectation that the institution would help the locality, but that the locality would help the institution, and in some instances this interference of local interests cripples the institution, enters the social life of the town, and in some cases has been known to hamper the efficiency of the local public schools. This difficulty could be largely, if not altogether, obviated by providing that

not more than two members of a board of regents or trustees should be appointed from the county where the institution is located. This would make it more nearly a state institution and remove it from the selfish interests of local influences. Besides, these boards are all too large. Three trustees could transact all the business at the soldiers' home, for instance, not only as well, but far better than five do, and, of course, at much less expense. There may be wisdom in the multiplicity of counsel, but the increased wisdom is usually rendered nugatory by the cross purposes and wrangling that generally attend the deliberations of too many counsellors. This was perhaps the view of the framers of our state constitution when they provided that all state institutions should be located at the state capital, where they could be governed by a board composed of a limited number of state officials, who at any time can meet for the transaction of unexpected business, and who have no other calling to divide their attention from the performance of public business. The more nearly a certain business becomes everybody's business the more nearly it becomes nobody's business. To be sure, this rule cannot be enforced in the case of schools and other institutions located at a distance from the capital, whose boards of regents and trustees are required to serve without compensation, but where the state exacts the services of its citizens without pay it will get better results from the employment of the smallest possible number that will serve the purpose. Wherever it is possible to place or keep the management of a state institution under the control of a board of state officers, who are near it at all times and who have no other lines of business to demand their attention, it should surely be done. In examining the history of the control of our different state institutions, it will be found that the best results have been obtained from those governed by a board composed of a limited number of state officials, while there has been more or less trouble in those whose government is vested in a board of trustees living in different parts of the state and who too often come together on a war footing for the transaction of public business.

FISHERIES.

At the special session you very wisely passed an act to more thoroughly protect the salmon industry of the state. According to its provisions a state fish commission is created whose duty is to "select and locate a suitable site or sites for the construction of fish hatcheries, and to construct thereat such hatcheries as in their judgment will be to the best interest of the fishing industry." The fulfilment of the conditions of this provision will necessitate the appropriation of a sufficient sum to con-

struct the required number of hatcheries. The magnitude, importance and possibilities of the fishing industry cannot easily be overestimated, and I trust there will be no hesitancy in supplying the necessary legislation to make the new law effective. During the last twenty years the value of our salmon product has been nearly \$70,000,000, and gives employment to thousands of deserving laboring men. Remembering that this does not interfere with the amount of the land products of the state, but is confined to the rivers and smaller streams, we obtain a clearer conception of its importance. Computed merely by the actual area of surface occupied by our rivers, their value exceeds any equal amount of land surface in the state an hundred fold, and since these arteries not only of commerce, but of life-giving food, are distributed throughout our state, like many other blessings, more generously than in any other state in the union, we should show our appreciation of them by the most careful and helpful legislation. To bring about the most satisfactory results in this matter it is absolutely necessary that our laws on the question should be as nearly as possible identical with those of the state of Washington. For this purpose you should immediately appoint a committee to confer with a similar committee from that state to adjust such differences as may be of greatest importance. Such committee, I am informed, will be duly appointed by the legislature of that state. You will find in the very exhaustive report of the fish commissioner a fund of information on this question that will aid you very greatly in the work before you.

RAILROAD LEGISLATION.

In obedience to what seemed to be a popular demand of several years' standing, you repealed at your special session the act creating a state board of railroad commissioners. This leaves the state without any legislation whatever regulating the freight charges by railroads. This, it seems to me, leaves us in an anomalous condition, and surely those of our fellow citizens who are disposed to look with alarm on the "encroachments of corporations" have just now ample ground for the most dismal anticipations. If the various railroad companies of the state should conclude to double their present freight rates there is no power in the state anywhere to make any tangible resistance. Whether this is a safe and desirable condition to continue is for you to determine. Perhaps no better means has been devised for the regulation of these matters than is furnished by a railroad commission elected by the people or appointed by the governor. No state officer should be elected by the legislature, for the reason that the vicious system of "log rolling" by which pernicious measures are often carried through on the strength of

meritorious ones, is quite apt to appear in the combinations always made in the effort to secure the success of some particular candidate; and when a mistake is made in this manner it is impossible to fix the responsibility. When a mistake is fixed upon the shoulders of ninety different men it is not fixed at all in the sense that it is any relief to the aggrieved party. No governor, it is thought, would appoint a man to a position of trust unless he believed, at least, that he was eminently fitted for it—competent and trustworthy. Frequently the man selected by the legislature for an important position, through the scramble of caucuses and joint conventions, is purely an accident, not intended seriously by anybody. I have known such instances and so have you.

Assuming that every citizen concedes the necessity of some kind of state control of railroads, it follows that this can only be done by either a railroad commission or a fixed law, which, when passed, must necessarily stand for two years, whether found to be just or not. A vast majority of the states have found the best method of accomplishing this end to be by means of a railroad commission. This is so, for the reason that different lines of railroads are surrounded by environments altogether dissimilar, and a general and fixed schedule of rates for all lines, which must necessarily stand for two years when once enacted, often results in absolute injustice. The justification of a railroad commission rests on the fact that an injustice on the part either of the state or a railroad company can be rectified at any time. It would be too much to assume that a committee appointed by yourselves could bring in a bill for the regulation of freight rates on all the lines of Oregon, with only a short time in which to study the details of the questions involved, that would be at all adequate to the end in view. The regulation of freight rates has become one of the great questions of the time, and the interests of both shippers and the railroad companies are so vast, varied and vital that it is found to be necessary to lodge the power to accomplish this purpose in some tribunal where the adjustment of differences and the rectification of mistakes can be exerted every day, if necessary. Even in the state of Kansas, where the political party which makes the very loudest protestations of devotion to the interests of the common people has been in power for several years, no proposition has been made to abolish its railroad commission. In view, however, of your action on this matter at the special session, I do not feel disposed to urge you to reenact a law providing for a railroad commission, although it is very doubtful if you discover any other method of regulating the question which would be as satisfactory to all parties interested. One commissioner, with a clerk, with

fair salaries, who could give their entire time to a study of the questions involved, could, and no doubt would, work for the best interests of the people and the railroad companies. As it is, we have neither a railroad commission nor a freight law of any kind,—a condition that, perhaps, can be found in no other state in the union. In demanding the repeal of the railroad commission the people have seemed to demand no substitute, and it may be their wish to try the experiment of allowing the railways to transact their business without any legal control. It is doubtful, however, if this is a safe condition to continue.

It is well known that our supreme court, although perhaps working harder than any other body of officials in the state, is so far behind with its business that the constitutional guarantee that justice shall be administered "without delay" has been rendered practically inoperative. I think there is no difference of opinion as to the correctness of this statement. Every consideration not only suggests but demands a remedy. Several solutions of the difficulty have been offered but none is so feasible and direct and without the appearance of subterfuge as the addition of two justices to the number now composing the supreme court. The objection to this plan that it is of doubtful constitutionality has been in a measure removed by the report of a committee of the Oregon bar association appointed to examine into the question. The committee is composed of several of the most eminent lawyers in the state and their expressed opinion is that such a law would be in perfect harmony with the constitution. This opinion is concurred in, as I understand, by most of the survivors of the convention which framed the constitution, and if, in your opinion, their decision in the matter is worthy of your consideration, I would urge the passage of a law increasing the number of the supreme judges to five. There is no doubt whatever as to the necessity of the relief referred to, and if the constitutional objection heretofore urged to an increase of the number of judges is removed, it is without doubt a much better solution of the question than the establishment of a commissioner's court. In any event the relief asked for should be granted in some form during the present session.

GOOD ROADS.

Few questions demand more serious consideration at your hands than the enactment of some system that will give our people better roads. Good roads are not only the arteries of commerce but they affect the very vitality of the business interests of the entire state, and especially of the country districts. That they are profitable, pleasant and necessary is not questioned by anybody. No one feature of any county gives it a more credit-

able reputation than a system of good roads, and perhaps no country needs it more than Oregon. The fact that we are blessed with a climate that is a perpetual guarantee against drouth, makes it certain that we will always have bad roads until we overcome them by systematic legislation. This we have never had, nor has any serious attempt ever been made in that direction. Surely, there is no reason why this matter should be further postponed.

Our present road laws, taken as a whole, amount to a mere travesty on the subject for which they were intended. They are the result of haphazard, patchwork legislation from session to session, usually amendatory of previous acts that were themselves mere apologies for existing conditions. There is ample justification for the statement that, with exceptions so few as to be unworthy of mention, the average county roads in our state are in no better condition than they were 30 years ago. There are many roads in Oregon that have been traveled regularly for more than 30 years through thickly settled communities and that have never been so nearly impassable as during the last year. This discouraging condition is wholly attributable to the absence of an intelligent application of the efforts put forth for their improvement. If all the road work in Oregon during this period had been applied to their systematic draining, grading and top-dressing with gravel or crushed rock we would today have as good a system of roads as any state in the union. The amount of human energy absolutely thrown away is prodigious, but in no instance, perhaps, more inexcusably so than in the matter of alleged work on our roads.

While our people are a unit as to the necessity and desirability of better roads, it is not possible to bring about that condition until our present system is wholly revolutionized and our road taxes are collected the same as other taxes, to be disbursed under the intelligent supervision of some competent person authorized by each county to look after the roads of that county. The experience of a generation should be sufficient to convince the most hopeful that even another generation of our present haphazard method would give us no improvement whatever. After all these years we should be satisfied that the system of "working" roads is a dismal failure, and adopt a system that contemplates the building of roads. I believe our people are public spirited enough to welcome a law imposing a moderate levy for road taxes if attended by an ironclad provision that would secure its economical and effective application to our roads. This should be attended by a provision encouraging the use of broad-tired wagons and discouraging the use of narrow tires after a specified time in the future. In France, as well as in some other

countries, many wagons now used have tires five inches wide, and, with the hind axle some wider than the front one, a heavily loaded wagon traveling the road is a positive benefit to it. We will never emerge from our present condition of deplorably bad roads until some legislature goes far enough at one stride to leave permanently in the rear the mockery that binds us now.

GAME LAWS.

Unless some steps are taken to protect our native and game birds from the wholesale and indiscriminate slaughter that has been their fate for the last year or two, the time is not far distant when they will be practically exterminated. It is surely no pleasure to the humane and enlightened sportsman to be permitted to continue this practice when the certain result will be the ultimate destruction of game birds altogether. The native grouse and pheasants which in past years have been the pride of our state are rapidly disappearing before the merciless onslaught of thoughtless hunters, while that king of game birds, the Mongolian pheasant, which banter the hunter by scorning to seek shelter in the protecting woods, has been diminished in number by at least 50 per cent. within the last two years. It would seem that the better judgment of those who engage in the sport of hunting would restrain them from such a destructive practice. A law should be passed at this session prohibiting the killing of game birds for any purpose whatever during the next year and every other year thereafter for a specified period. This is simply a question about which there can be no two opinions among those who have given any attention to the subject, and it is your duty to enact some measure that will prevent the further destruction of these desirable denizens of our forests, fields and pastures.

CONVEYING CRIMINALS TO THE CAPITAL.

Perhaps the greatest single abuse that has fastened itself to the administration of our state laws is the unreasonable expense of conveying insane patients and criminals to the state capital. Repeated efforts have been made by former governors to have some legislative action on this question, but without avail. If you adjourn this session without securing this much-needed reform, you will be justly charged with a flagrant dereliction of duty. This service should be done by employés of the penitentiary or of the asylum, both because it would cost far less and would be performed by persons whose experience especially qualifies them for it. Many sheriffs have boasted that the compensation secured from these frequent visits to the capital pays the entire expense of their offices, leaving their salaries clear profit. Under this system it now costs between \$8 and \$10 to take a prisoner

from the Marion county courthouse to the prison, while an attendant from that institution could do the same work for 15 cents. Instances are known where a sheriff from a distant county has brought a prisoner to the capital without any help whatever, and, after arriving at Salem, hiring a guard, to proceed to the prison, where he was presented to the authorities as having traveled the entire distance, and the state paid the bill. The alleged guard was employed less than an hour and his compensation by the sheriff probably not more than \$1. To merely call your attention to this outrageous abuse ought to insure its eradication, and it can be easily done within the next fifteen days. One of the worst features, however, of the present system is the inhumanity, not to say indecency, of requiring sheriffs to convey female patients to the asylum. Public morality revolts against this requirement, and no one should be permitted to have charge of these unfortunates but trained attendants from the asylum. This requirement should not under any circumstances be overlooked, and since public morals and the public purse unite in demanding the reformation outlined, I trust you will not neglect a duty that seems so imperative.

STATE HISTORICAL SOCIETY.

Last month there was organized at Portland a state historical society, duly incorporated, whose object is to collect and preserve valuable historical information concerning the early settlement and later history of the state. Its intention is to unite its work with that of the university of Oregon, and since its membership will consist of hundreds of the leading citizens of the state, whose motives in the matter are wholly unselfish, the prosecution of its work should receive a reasonable assistance at your hands. This has been done by other states with excellent effect.

THE OFFICE OF STATE PRINTER.

For many years the cost of our state printing has been out of all proportion to what a due regard for economy would dictate. The rates allowed for that work are the same as when the cost of printing was nearly if not quite double what it is now. The taxpayers of the state have a perfect right to advantages accruing from the improved methods of printing, and this unnecessary extravagance should be stopped at once by providing a reasonable salary for the state printer and a plant owned by the state with which to do the work. So many legislatures have had their attention called to this matter only to be passed over without any consideration whatever, that any further attempt in that direction seems useless; but the first bill on the calendar should be one to effect this possible and needful saving of public money.

The law should take effect at the expiration of the term of the present state printer, and surely its passage would not be opposed by a single vote.

CONCLUSION.

For general information relating to the condition of the state and its affairs you are specially referred to the message of my distinguished predecessor who has just completed a four years' service in a successful effort to maintain the credit and good name of the state. The reports of the different heads of the departments are on your desks and will be of aid to you in an intelligent disposition of the questions coming before you for consideration. You have met at a time in the history of Oregon, when, as never before, our people should be thankful to Divine Providence for the continued blessings of health and an abundance of the earth's products, and for the renewed one of comparative contentment among all classes. We have just passed through a gigantic and successful war with a foreign power, a war forced upon us by the persistent commission of brutalities against humanity and civilization; and yet, so strong is our government, so wonderful our resources and so patriotic our people that not a single interest within our national domain was crippled nor an industry adversely affected.

In the general improvement in all lines of business which has blessed the people of the United States during the last two years no state has enjoyed a larger share than has ours. Under these circumstances you are assembled to inquire into the condition of the state, and it would seem to be an opportune time to follow the adage "Let well enough alone." Although there are instances where additional saving can be attained in the public service, our state government has, in the main, been economically administered. If the burden of taxation resting on our people through the support of our county and municipal governments could be removed, the weight of the state government would be scarcely felt, and although tax levies are higher or lower from year to year as unavoidable expenses or improvements make the variation necessary, the average rate has been within the lines of practical economy. There are some wholly unnecessary extravagancies to which I have called your attention and which it is your duty to overcome.

In these closing years of the nineteenth century, Oregon occupies an eminence from which her people look backward with a feeling of pardonable pride and forward with a hope that is abundantly justified by the lessons of history. Through the changing years of a well-rounded half century, the sturdy pioneers who first wrested this magnificent domain from the control of the savages and environments of the wilderness have steadily builded a

commonwealth on the enduring foundation of honest conservatism. Compared with many other states, serious legislative excesses are unknown to us, although we have had many protracted and even bitter political contests, no mercenary scandals have ever smirched the fair name of our state. Our people are wedded to the three virtues of industry, economy and sobriety. They have repeatedly declared themselves in favor of (and never against) the proposition that no dollar is too good for the working classes of this country. Our outspoken declaration on this question last year, in advance of any other state, placed our credit and reputation second to that of no sister in the great galaxy of American commonwealths.

Through the passing of the years, the keeping and control of this cherished inheritance has come to you and to me and to our fellow citizens—the children and successors of the honored pioneers who are rapidly passing away. They looked no further westward than the eastern shores of the great Pacific, the murmur of whose waves is in our hearing; but recent events, which seem to have been shaped by the hand of Providence, are turning our attention still further westward until we easily see the first glimpse of an oriental trade that beckons us onward with a promise that guarantees us many years of increasing prosperity. Oregon is the natural gateway for the larger share of this great commercial movement that will involve the trade of two hemispheres. With the construction of the Nicaragua canal our trade relations will be established with every quarter of the globe and the great resources of our state will be apparent, appreciated and profitable.

Those of us who, for a short period, will be the guardians of great public interests will, in a measure, be held responsible for the maintenance of favorable conditions so far as our public actions may affect them. The power delegated to us is in the nature of a sacred trust, and I feel sure of your unselfish coöperation in an earnest effort to promote the welfare of a worthy people whose confidence we share and whose interests are ours.

On motion of Representative Myers, the joint convention dissolved.

IN THE SENATE.

Senator Haines moved that when the senate adjourns it adjourns to convene at 3 o'clock p. m.

The motion prevailed.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 10, 1899. }

The senate was called to order at 3 o'clock p. m. by the president, pursuant to adjournment.

The roll was called, and all the senators were present except Senator Howe.

Senate bill No. 1. Senator Dufur. A bill for an act to authorize Antelope City to build, construct and maintain water-works.

Senator Dufur moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Harmon, Howe and Kuykendall—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 2. Senator Bates. A bill for an act to provide for the collection of taxes.

Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Howe, Kuykendall and Mulkey—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate No. 3. Senator Daly of Benton. A bill for an act to better the condition of the school laws of the state of Oregon.

Senator Daly of Benton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Howe and Kuykendall — 2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 4. Senator Brownell. A bill for an act to amend section 2718, Hill's annotated laws of Oregon.

The bill was read first time and passed to second reading without question.

Senate bill No. 5. Senator Driver. A bill for an act to provide for working convicts on public highways.

The bill was read first time and passed to second reading without question.

Senate bill No. 6. Senator Harmon. A bill for an act to provide for the registration of electors, regulating and conducting elections and affecting crimes affecting elections.

Senator Harmon moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Daly of Lake and Howe — 2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 7. Senator Proebstel. A bill for an act to incorporate the city of Pendleton.

Senator Proebstel moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 28.

Nays — None.

Absent—Senators Daly of Lake and Howe—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 8. Senator Reed. A bill for an act to amend section 2608, chapter XVI, title IV, miscellaneous laws of Oregon.

Senator Reed moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Howe, Kuykendall and Patterson—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 9. Senator Josephi. A bill for an act to change the name of "Oregon State Insane Asylum" to "Oregon Hospital for Insane."

Senator Josephi moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Howe and Kuykendall—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 10. Senator Haines. A bill for an act authorizing the refunding of county indebtedness.

The bill was read first time and passed to second reading without question.

Senate bill No. 11. Senator Fulton. A bill for an act providing for an additional circuit judge for the fifth judicial district.

The bill was read first time and passed to second reading without question.

Senate bill No. 12. Senator Adams. A bill for an act to regulate warehouses, flouring mills, grist mills and all other places where grain, flour or feed are kept for storage for hire.

Senator Adams moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Harmon, Howe and Kuykendall—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 13. Senator Daly of Lake. A bill for an act to amend section 2752 and to repeal sections 2720, 2735, 2736, 2737, 2753 to 2757.

Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Haines, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Fulton, Harmon and Howe—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 14. Senator Morrow. A bill for an act providing for the extirpation of thistles.

Senator Morrow moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Howe and Patterson—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 15. Senator Smith. A bill for an act relating to railroad crossings.

Senator Smith moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Howe—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 16. Senator Kelly. A bill for an act concerning land titles and the registration of same.

Senator Kelly moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Harmon and Howe—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 17. Senator Fulton. A bill for an act to aid the Oregon Historical Society in its work and to appropriate money therefor.

The bill was read first time and passed to second reading without question.

Senate bill No. 18. Senator Mulkey. A bill for an act to regulate the fees of state printer, by amending section 3960, Hill's annotated laws of Oregon.

The bill was read first time and passed to second reading without question.

Senate bill No. 19. Senator Brownell. A bill for an act providing for appointment of supreme court commissioners.

Senator Brownell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine,

Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Harmon and Howe—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 20. Senator Smith. A bill for an act to amend section 1721 of title II of chapter II, of crimes against the person, of the laws of Oregon, as compiled by W. Lair Hill.

The bill was read first time and passed to second reading without question.

Senate bill No. 21. Senator Haseltine. A bill for an act to create the office of state biologist, without salary.

The bill was read first time and passed to second reading without question.

Senate bill No. 22. Senator Daly of Lake. A bill for an act to amend section 2813, providing when and in what money taxes shall be paid.

Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Harmon and Howe—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 23. Senator Daly of Benton. A bill for an act to provide for the election of a commission of transportation.

Senator Daly of Benton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Harmon and Howe—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 24. Senator Mulkey. A bill for an act to amend assessment laws.

Senator Mulkey moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Abent—Senator Howe.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Kuykendall, chairman of the committee on education, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 10, 1899.)

Your committee on education, to whom was referred senate joint resolution No. 1 and senate resolution No. 2, beg leave to say that we have had the same under consideration, and respectfully report them back to the senate with the recommendation that they do not pass for the following reason:

If either resolution were passed at this time it would apply to this session only and have no influence upon future legislatures. The same old battle of reform would have to be fought out at each biennial session. If there are really abuses in the matter of committee clerkships the reform should be made complete and then be made permanent. This cannot be done by a senate resolution or a joint resolution.

We wish this report to be considered provisional, and ask permission to present a supplemental report consisting of a bill which we now have in process of preparation, drawn somewhat on the lines of the California law on this subject, and providing for the election of all clerks by the legislature and for their selection from the different parts of the state in accordance with the representation of the various counties in the legislature.

W. KUYKENDALL,
Chairman.

On motion of Senator Kuykendall, the report was adopted.

Senate bill No. 25. Senator Brownell (by request). A bill for an act to regulate the payment of wages.

The bill was read first time and passed to second reading without question.

Senate bill No. 26. Senator Haines. A bill for an act to require criminal complaints and informations to be submitted to the district or county attorney before filing.

The bill was read first time and passed to second reading without question.

Unanimous consent being given, Senator Mulkey introduced senate resolution No. 4.

SENATE RESOLUTION NO. 4.

Resolved, That the clerks for the standing committees for the session be as follows, towit: Agriculture and forestry, 1; assessment and taxation, 2; claims, 1; counties, 1; education, 1; elections and privileges, 1; engrossed bills, 8; enrolled bills, 8; federal relations, 1; fishing industries, 1; horticulture, 1; insurance and banking, 1; printing, 2; irrigation, 1; judiciary, 3; medicine, pharmacy and dentistry, 1; military affairs, 1; mining, 1; municipal corporations, 1; public buildings and institutions, 1; public lands, 1; railroads, 1; revision of laws, 2; roads and highways, 1; ways and means, 3; or a total number of 46 clerks. And be it further

Resolved, That chief clerks of committees, where there are more than one clerk, \$4 per day, and other clerks \$3 per day.

Senator Kuykendall offered the following amendment:

AMENDMENT.

And be it further resolved, That if at any time a clerk is unemployed he or she shall report to the chief clerk of the senate for assignment to work on other committees until needed on the committee to which he or she was originally assigned.

On motion of Senator Kuykendall, the amendment was adopted.

Senator Fulton offered the following amendment:

AMENDMENT.

Strike out that portion of the resolution relating to compensation and in lieu thereof insert the following: Chief clerks and stenographers on the judiciary, ways and means, enrolled bills and engrossed bills committees shall receive \$5 per day and all other clerks \$3 per day.

On motion of Senator Fulton, the amendment was adopted.

On motion of Senator Mulkey, the resolution as amended was adopted.

The president appointed Senator Josephi to serve on the joint committee provided under house concurrent resolution No. 4, passed at the special session, in place of Senator Taylor, elected president of the senate.

Senate bill No. 27. Senator Fulton. A bill for an act relating to negotiable instruments.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clein, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Hastelne, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Howe.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

WEDNESDAY, JANUARY 11, 1899.

MORNING SESSSION.

SENATE CHAMBER,
SALEM, Oregon,
January 11, 1899. }

The senate was called to order at 10 o'clock a. m., by the president.

The roll was called, and all the senators were present.

On motion of Senator Kelly, the reading of the journal of yesterday's proceedings was dispensed with.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
SALEM, Oregon,
January 11, 1899. }

To the honorable, the president of the senate :

I am directed by the governor to request the return to the executive office the following appointments, sent to the senate January 9, 1899: Members of the board of regents, state university—Cyrus W. Dolph, appointed November 30, 1898, to succeed Henry Failing, deceased; Robert S. Bean, appointed November 30, 1898, to succeed A. Bush, resigned; Harrison R. Kincaid, appointed November 30, 1898, to succeed A. G. Hovey, deceased. Also, member of the board of trustees of the Oregon soldiers' home—S. H. Hobb, appointed November 30, 1898, to succeed John P. Robertson.

WALTER LYON,
Private secretary.

On motion of Senator Selling, the communication was laid on the table.

Senator Michell moved to take from the table the message from the governor and that the committee on revision of laws be instructed to return the communication of ex-Governor Lord referred to it to the senate, with the recommendations that the nominations made therein be confirmed.

Senator Fulton called for a division of the question: *First*, that the communication be taken from the table; *second*, that the communication be returned to the governor.

The motion to take the communication from the table was carried.

The motion to return the communication to the governor was lost.

Senator Selling moved the division of the question: *First*, that the communication from the governor shall be returned to the senate; *second*, that it shall be returned to the governor.

The president ruled that the second subdivision shall be considered first.

Senators Fulton and Kuykendall demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Cameron, Daly of Lake, Driver, Dufur, Fulton, Harmon, Kuykendall, Morrow, Reed and Smith—10.

Nays—Senators Adams, Bates, Brownell, Clem, Daly of Benton, Haines, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Selling, Wade and Mr. President—20.

So the second subdivision was lost.

On the original motion, that the committee on revision of laws be instructed to return the appointments with the recommendation that the appointments be confirmed, Senators Kuykendall and Fulton called for the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Daly of Benton, Haines, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Selling, Wade and Mr. President—19.

Nays—Senators Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Harmon, Kuykendall, Morrow, Reed and Smith—11.

So the motion prevailed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 1.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 68. Senator Mackay. A bill for an act to create the office of tax collector in counties of the state of sixty thousand inhabitants.

Senator Mackay moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 29. Senator Brownell. A bill for an act providing for the election of prosecuting attorneys, their compensation and for prosecuting attorney districts.

Senator Brownell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Driver.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 30. Senator Haseltine. A bill for an act to regulate the purchase of public supplies.

The bill was read first time and passed to second reading without question.

Senator Kuykendall introduced senate resolution No. 5.

SENATE RESOLUTION NO. 5.

Resolved, That the president of the senate be allowed one competent stenographer for the session at a salary of \$5 per day.

On motion of Senator Kuykendall, the resolution was adopted. Senator Kuykendall introduced senate resolution No. 6.

SENATE RESOLUTION NO. 6.

Resolved, That the sessions of the senate be opened by prayer and that the ministerial union of the city of Salem be invited to provide ministers to perform that duty.

On motion of Senator Kuykendall, the resolution was adopted.

Senate bill No. 31. Senator Dufur. A bill for an act to amend section 2813 of title VI, chapter XVII, laws of Oregon.

Senator Dufur moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Selling—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 32. Senator Daly of Lake. A bill for an act to require the county clerks and the clerk of the county courts to administer oaths in pension matters.

Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 33. Senator Kelly (by request). A bill for an act to amend sections 6 and 28 of an act entitled an act for the protection of game, fish and wild fowl, etc.

Senator Kelly moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Dufur and Fulton—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 34. Senator Selling. A bill for an act creating a trust fund in Multnomah county.

The bill was read first time and passed to second reading without question.

On motion of Senator Daly of Lake, the courtesies of the senate were extended to Hon. Chas. Cogswell, and he was invited to a seat within the bar.

Senate bill No. 35. Senator Josephi. A bill for an act to provide for the production of expert testimony in and of courts of justice.

Senator Josephi moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Dufur and Fulton—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 36. Senator Porter. A bill for an act requiring sheriffs to collect certain fees in civil cases.

Senator Porter moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Dufur, Fulton and Smith—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 37. Senator Kuykendall. A bill for an act providing for school per capita tax and school per capita assessments.

Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Dufur, Fulton and Smith—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 38. Senator Haines (by request). A bill for an act to amend section 2354 of chapter XI of the miscellaneous laws of Oregon, as compiled by W. Lair Hill, relating to mileage of officers and persons performing public duty.

Senator Haines moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Fulton—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 39. Senator Proebstel. A bill for an act prohibiting nickle-in-the-slot machines.

Senator Proebstel moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Fulton—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 40. Senator Morrow. A bill for an act to change in part the payment of county clerks, recorders, etc.

Senator Morrow moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Dufur, Looney and Patterson—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 41. Senator Brownell. A bill for an act providing for the relocation of county seats and to provide for the manner of holding elections.

Senator Brownell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Dufur, Fulton and Looney—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 42. Senator Bates. A bill for an act regulating fraternal beneficiary corporations.

Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Fulton—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 43. Senator Kelly. A bill for an act to amend section 8 of an act entitled an act to change in part compensation of county clerk, etc.

Senator Kelly moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Dufur.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 44. Senator Daly of Benton (by request). A bill for an act declaring sale and conveyance of land for taxes invalid in certain cases.

Senator Daly of Benton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Dufur and Mackay — 2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 45. Senator Kuykendall. A bill for an act to regulate the running at large of stock.

Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Dufur.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 46. Senator Harmon. A bill for an act to amend an act entitled an act to authorize county judges to bid on real property at delinquent tax sales and to make conveyance of same.

Senator Harmon moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Patterson—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 47. Senator Porter. A bill for an act to amend section 54 (53) of title V, chapter I, laws of Oregon.

Senator Porter moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Mulkey and Patterson—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 48. Senator Adams. A bill for an act to provide for the taxation of dogs, to regulate matters connected therewith, and providing penalties for the violation of the provisions of this act.

Senator Adams moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Patterson—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Unanimous consent being given, Senator Selling introduced senate resolution No. 7.

SENATE RESOLUTION NO. 7.

Resolved, That the senate set its seal of disapprovement upon the extravagant manner in which the printing of "reports" has been done at the present session, and the secretary of state is and he is hereby respectfully requested to see that similar practices are discontinued.

On motion of Senator Fulton, the resolution was referred to the committee on printing.

Senate bill No. 49. Senator Morrow. A bill for an act to cure defects in deeds heretofore made to real property that are defective in execution, witnessing or acknowledgment.

The bill was read first time and passed to second reading without question.

Senate bill No. 50. Senator Kuykendall. A bill for an act to confer upon Eugene divinity school power to confer degrees and diplomas.

Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Reed—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
SALEM, Oregon,
January 9, 1899.

To the honorable, the president of the senate:

The appointment of the following-named gentlemen as members of the board of regents of the state university, and sent in on January 9, 1899, to wit, Cyrus A. Dolph, appointed November 30, 1898, for the term of twelve years from April 15, 1891, to succeed Henry Falling, deceased; Robert S. Bean, appointed November 30, 1898, for a term of twelve years from April 15, 1893, to succeed A. Bush, resigned; Harrison R. Kincaid, appointed November 30, 1898, for a term of twelve years from April 15, 1891, to succeed A. G. Hovey, deceased, is hereby revoked and withdrawn.

T. T. GEER,
Governor.

On motion of Senator Mulkey, the message was laid on the table.

Senate bill No. 51. Senator Daly of Lake. A bill for an act fixing the salaries of secretary of state, treasurer, clerk of supreme court, etc.

Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Dufur.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 52. Senator Adams. A bill for an act to repeal an act entitled an act to provide for an additional circuit judge for the third judicial district in the state of Oregon, filed in the secretary's office February 20, 1893.

Senator Adams moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykenkall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Fulton—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 53. Senator Porter. A bill for an act to amend section 1017, relating to the making of deeds by sheriffs.

Senator Porter moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Looney.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

On motion of Senator Harmon the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1899. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present.

On motion of Senator Selling, the message from the governor was taken from the table.

The president directed that the chief clerk deliver to the governor the list of appointments as requested in his message of this date, which was done.

Senate bill No. 54. Senator Bates. A bill for an act to create the office of clerk of justices' courts in cities of fifty thousand inhabitants or more.

Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Kuykendall.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 55. Senator Looney. A bill for an act to prevent the introduction of unwholesome foods and medicines and to regulate the sale of adulterated foods and medicines.

Senator Looney moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelley, Looney, Mackay, Michell,

Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Kuykendall.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 56. Senator Smith. A bill for an act to cure defects in deeds to real property and sales of property by officers and administrators.

Senator Smith moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Kuykendall.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 57. Senator Clem. A bill for an act to provide for the reduction of indebtedness from assessments.

Senator Clem moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Kuykendall and Mackay — 2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 58. Senator Kelly. A bill for an act to amend section 537 of Hill's annotated laws of Oregon.

Senator Kelly moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow,

Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Kuykendall.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 59. Senator Bates. A bill for an act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil.

Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Kuykendall.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 60. Senator Looney. A bill for an act to prohibit the sale of cigarettes to boys under eighteen years of age.

The bill was read first time and passed to second reading without question.

Unanimous consent being given, Senator Mulkey introduced senate joint resolution No. 3.

SENATE JOINT RESOLUTION NO. 3.

Be it resolved by the senate, the house concurring, That all parties having claims against the state shall present the same to the committee on ways and means of the legislature within twenty days from this date, and that no claim against the state shall be received and filed by the committee on ways and means after that time; be it further

Resolved, That the appropriation bill shall be presented to the legislative assembly not later than the fifth day before the close of the session; be it further

Resolved, That no matters shall be embodied in the said appropriation bill that do not pertain to payment of the current expenses of the state.

Senator Mulkey moved the adoption of the resolution.

Senators Haines and Mulkey demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Harmon, Haseltine, Howe, Josephi, •

Kelly, Kuykendall, Mackay, Morrow, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—23.

Nays—Senators Dufur, Fulton, Haines, Looney, Michell and Reed—6.

Not voting—Senator Mulkey.

So the resolution was adopted.

Senate bill No. 61. Senator Harmon. A bill for an act to amend an act entitled an act to create a state board of horticulture and appropriate money therefor.

Senator Harmon moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 11, 1899.

Mr. President:

Your committee on enrolled bills, to whom was referred senate joint resolution No. 1, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

THURSDAY, JANUARY 12, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 12, 1899. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present.

The morning session was opened with prayer by Rev. T. F. Royal.

On motion of Senator Patterson, the reading of the journal of yesterday's proceedings was dispensed with.

Unanimous consent being given, Senator Haseltine introduced senate resolution No. 8.

SENATE RESOLUTION NO. 8.

Resolved, That the state printer be and is hereby instructed to furnish one hundred and fifty copies of the rules of the senate and joint rules of the house and senate and the standing committees of the senate.

On motion of Senator Haseltine, the resolution was adopted.

Senator Haines moved that the state printer be instructed to print four hundred and eighty extra copies of senate bill No. 3 for distribution.

The motion prevailed.

Senate bill No. 62. Senator Michell. A bill for an act entitled an act to increase the number of justices of the supreme court, and to provide for the appointment of two additional justices until the next regular election and to provide for the relief of the supreme court.

Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay,

Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

On motion of Senator Michell, the bill was ordered not printed.

Senator Mulkey moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Cameron, Daly of Benton, Daly of Lake, Dufur, Fulton, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Porter, Reed, Smith and Mr. President—15.

Nays—Senators Adams, Bates, Brownell, Clem, Driver, Haines, Harmon, Haseltine, Howe, Josephi, Proebstel, Selling and Wade—13.

Absent—Senators Morrow and Patterson—2.

So the senate refused to further suspend the rules.

Senate bill No. 63. Senator Selling. A bill for an act to repeal section 3163 of title I of chapter XXVI of Hill's annotated laws of Oregon.

The bill was read first time and passed to second reading without question.

Senate bill No. 64. Senator Fulton. A bill for an act to appropriate moneys for the erection and equipment of fish hatcheries.

The bill was read first time and passed to second reading without question.

Senate bill No. 65. Senator Kuykendall. A bill for an act to amend section 2329 of the miscellaneous laws of Oregon.

The bill was read first time and passed to second reading without question.

Senate bill No. 66. Senator Reed. A bill for an act to fix the salaries of county officers in Douglas county, Oregon, and to provide for the payment of the same.

Senator Reed moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Fulton.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Reed moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mitchell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith and Wade—26.

Nays—Mr. President.

Absent—Senators Brownell, Fulton and Mackay—3.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Reed, was referred to the committee on fishing industries.

Senate bill No. 67. Senator Haines (by request). A bill for an act to amend section 2052 of chapter I of justice code of Oregon, as compiled by W. Lair Hill, relating to jurisdiction of justices' courts.

Senator Haines moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Fulton.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 12, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate joint resolution No. 1.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 68. Senator Bates. A bill for an act locating, changing, laying out and improving county roads.

Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Dufur was excused.

The president announced that he was about to sign senate joint resolution No. 1, and soon thereafter stated that he had signed the same.

Senate bill No. 69. Senator Josephi. A bill for an act to amend an act to amend section 3557, chapter XLIX.

Senator Josephi moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Kuykendall—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill. No. 70. Senator Mulkey. A bill for an act regulating the duty of sheriffs.

The bill was read first time and passed to second reading without question.

Senate bill No. 71. Senator Cameron. A bill for an act authorizing assessors to appoint deputies.

Senator Cameron moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Kuykendall—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 72. Senator Mackay. A bill for an act to establish and incorporate the Port of Portland.

Senator Mackay moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Dufur.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 73. Senator Brownell. A bill for an act to amend sections 4081 and 4082, and to provide for the election of road supervisors.

Senator Brownell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Reed—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 74. Senator Looney. A bill for an act amending section 2345, relating to fees of coroners.

Senator Looney moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent — Senators Dufur and Reed — 2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 75. Senator Bates. A bill for an act to provide for the levying and collection of road taxes on property and persons within the state.

Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Dufur and Reed — 2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 76. Senator Harmon. A bill for an act to repeal section 2788 of title V of chapter XVII of Hill's annotated laws of Oregon, relating to the preparation of assessment rolls.

The bill was read first time and passed to second reading without question.

Senate bill No 77. Senator Morrow. A bill for an act to amend section 3 of an act entitled an act to exempt homesteads from attachment.

The bill was read first time and passed to second reading without question.

Senate bill No. 78. Senator Kuykendall. A bill for an act requiring the election and prescribing the number and compensation of officers of the house and senate.

The bill was read first time and passed to second reading without question.

Senate bill No. 79. Senator Daly of Lake. A bill for an act amending title IV of chapter XVII, relating to equalization of taxes.

Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 27.

Nays — None.

Absent—Senators Brownell, Dufur and Kuykendall—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 12, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted a substitute for senate joint resolution No. 3.

And the same is herewith transmitted to you with the original for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

SENATE JOINT RESOLUTION NO. 3 (AS AMENDED).

Resolved by the senate, the house concurring, That all parties having claims against the state shall present the same to the committee on ways and means of the legislature within twenty days from the date of the passage of this resolution, and that no claims against the state shall be received, allowed or filed by the committee on ways and means after that time; be it further

Resolved, That the committee on ways and means be and it is hereby instructed to report two appropriation bills—one to be designated as the general appropriation bill, which shall include only the salaries of state officers and the expenses of carrying on the state government, and the other appropriation bill shall be designated as the special appropriation bill and shall include all other appropriations; and it is further

Resolved, That said committee be required to report the general appropriation bill on or before the twenty-fifth day of this session, and the special appropriation bill on or before the thirtieth day of this session.

On motion of Senator Kuykendall, the substitute was considered an amendment and the senate concurred in the amendment.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 12, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 7, relating to the printing of one thousand copies of the messages of Governors Lord and Geer.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 7.

Resolved by the house, the senate concurring, That one thousand copies of the messages of Governor Lord and Governor Geer be printed.

On motion of Senator Michell, the resolution was concurred in.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 12, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 6, providing for a joint committee of two on the part of the house and one on the part of the senate to examine the books of the secretary of state.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 6.

Resolved by the house, the senate concurring, That a committee of two from the house and one from the senate be appointed to examine the books of the secretary of state and that said committee be authorized to employ necessary clerical aid.

On motion of Senator Mulkey, the resolution was concurred in.

The president appointed Senator Patterson on the part of the senate to serve on the joint committee provided under house concurrent resolution No. 6.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
SALEM, Oregon, }
January 12, 1899. }

To the honorable, the senate of the state of Oregon:

I have this day made the following appointments, and respectfully request their confirmation:

Members of the board of regents, state university: Hon. Cyrus A. Dolph, of Multnomah county, for the term of twelve years from April 15, 1891, to succeed Henry Failing, deceased; Hon. Robert S. Bean, of Lane county, for the term of twelve years from April 15, 1893, to succeed A. Bush, resigned; Hon. William Smith, of Baker county, for the term of twelve years from April 15, 1891, to succeed A. G. Hovey, deceased.

Member of the board of trustees, Oregon soldiers' home: Hon. H. S. Holt,

of Jackson county, for the term of four years from February 21, 1897, to succeed John P. Robertson.

T. T. GEER,
Governor.

On motion of Senator Kuykendall, the appointments made by the governor contained in his message which bears date January 12, 1899, were each and all confirmed.

Senate bill No. 80. Senator Mackay. A bill for an act relating to pilotage on the Columbia river.

Senator Mackay moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Dufur.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 81. Senator Looney. A bill for an act to define the use and care of district schoolhouses.

The bill was read first time and passed to second reading without question.

Senate bill No. 82. Senator Daly of Benton. A bill for an act as to time of catching salmon in Alsea bay and tributaries.

The bill was read first time and passed to second reading without question.

Senate bill No. 83. Senator Bates. A bill for an act to encourage the use of wide tires on wagons.

Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Dufur.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 12, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 2, providing for the increase of the number of justices of the supreme court.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

House bill No. 2 was read first time and passed to second reading without question.

Senate bill No. 84. Senator Cameron. A bill for an act to amend section 3383, Hill's annotated laws of Oregon.

Senator Cameron moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Dufur and Reed — 2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 85. Senator Daly of Benton. A bill for an act to prevent persons from running pushcars and other wheeled contrivances upon any railroads.

The bill was read first time and passed to second reading without question.

Senate bill No. 86. Senator Fulton. A bill for an act for the sale of tide lands.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Dufur.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 87. Senator Fulton. A bill for an act to provide for the inspection and measuring of logs.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Dufur.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 88. Senator Fulton. A bill for an act to authorize county courts to construct logging or skidroads.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Dufur.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 89. Senator Fulton. A bill for an act to prohibit the catching or taking of salmon or other food fishes, etc.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Dufur.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Michell moved that when the senate adjourns it adjourns to meet on Monday, January 16, at 2 o'clock p. m.

The motion prevailed.

Senator Dufur was noted present.

Senate bill No. 90. Senator Dufur. A bill for an act to amend section 2 of an act to establish the Oregon soldiers' home.

Senator Dufur moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays — None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Clem moved that the state printer be instructed to print four hundred and eighty extra copies of senate bill No. 68 and senate bill No. 16 for distribution.

The motion prevailed.

Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 12, 1899. }

Your committee on fishing industries, to whom was referred house concurrent resolution No. 2, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be concurred in.

A. W. REED,
Chairman.

On motion of Senator Reed, the resolution was concurred in. Senator Michell, chairman of the committee on printing, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 12, 1899. }

Your committee on printing, to whom was referred senate resolution

THURSDAY, JANUARY 12, 1899.

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No. 7, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it be adopted.

**JOHN MICHELL,
Chairman.**

**On motion of Senator Michell, the resolution was adopted.
On motion of Senator Cameron, the senate adjourned.**

**S. L. MOORHEAD,
Chief clerk.**

MONDAY, JANUARY 16, 1899.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 16, 1899. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senator Morrow, who was excused on account of sickness of his father.

On motion of Senator Smith, the reading of the journal of Thursday's proceedings was dispensed with.

The president presented the following communication :

COMMUNICATION.

SALEM, Oregon, January 16, 1899.

Oregon senate :

The members of the legislature are cordially invited to attend memorial exercises in honor of the departed members of the Ancient Order of United Workmen, and the Degree of Honor, which will be held at the M. E. church, Salem, on Wednesday evening, January 18, beginning at 8 o'clock promptly, under the auspices of the local lodges of those orders in Salem.

Respectfully,

COMMITTEE OF ARRANGEMENTS.

On motion of Senator Looney, the invitation was accepted and the communication placed on file.

Senate bill No. 91. Senator Patterson. A bill for an act incorporating the town of Hillsboro.

Senator Patterson moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Daly of Benton, Driver, Kelly, Kuykendall and Reed—5.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 92. Senator Josephi. A bill for an act to regulate the practice of medicine and surgery.

Senator Josephi moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President — 25.

Nays—None.

Absent—Senators Daly of Benton, Kelly, Kuykendall, Driver and Reed — 5.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 93. Senator Looney. A bill for an act to use convict labor in repairing and improving public roads.

Senator Looney moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President — 25.

Nays—None.

Absent—Senators Daly of Benton, Driver, Kelly, Kuykendall and Reed — 5.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 94. Senator Looney. A bill for an act to provide for the assessment of promissory notes.

Senator Looney moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President — 25.

Nays—None.

Absent—Senators Daly of Benton, Driver, Kelly, Kuykendall and Reed — 5.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 95. Senator Looney. A bill for an act to protect opossums for five years.

Senator Looney moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Morrow.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 96. Senator Mackay. A bill for an act to amend section 1804, relating to trademarks.

The bill was read first time and passed to second reading without question.

Senate bill No. 97. Senator Mulkey. A bill for an act to change the amount of fees and character of fees charged by county clerks.

Senator Mulkey moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Morrow.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 98. Senator Adams. A bill for an act to prohibit the leading, driving or riding of any horse, mule or other beast of burden, or any hog or cattle, upon any plankwalk or path.

The bill was read first time and passed to second reading without question.

Senate bill No. 99. Senator Reed. A bill for an act to authorize and empower county courts to dispose of lands held in the name of the county, and to provide for the conveying of the same by deed.

Senator Reed moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 100. Senator Daly of Benton.. A bill for an act to incorporate the city of Philomath.

Senator Daly of Benton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

On motion of Senator Daly of Benton the bill was ordered not printed.

Senate bill No. 101. Senator Haines. A bill for an act to regulate and fix the salaries of the county clerk, sheriff and recorder of Washington county.

Senator Haines moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 102. Senator Kuykendall. A bill for an act to amend section 4 of an act entitled an act to authorize the con-

struction and operation of the Siuslaw and Eastern Railway and Navigation Company.

Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Morrow.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 105. Senator Michell. A bill for an act to repeal an act entitled an act to authorize the publication of county court proceedings in county newspapers.

The bill was read first time and passed to second reading without question.

Unanimous consent being given, Senator Kelly introduced senate joint resolution No. 4.

SENATE JOINT RESOLUTION NO. 4.

Resolved by the senate, the house concurring, That a committee of five, consisting of two from the senate and three from the house, be appointed to investigate the hereto attached proposition of the Ladies' Aid Society of Albany, Linn county, Oregon, to visit the site of the therein mentioned property and report at any time.

PROPOSITION OF LADIES' AID SOCIETY OF ALBANY.

To the legislative assembly of the state of Oregon :

The undersigned, the Ladies' Aid Society of Albany, Oregon, a corporation duly incorporated under the general laws of the state of Oregon, with its principal office at the city of Albany, Oregon, being the owner of the orphans' home, and the property connected therewith, situated near Albany, Oregon, hereby tender the state of Oregon the orphans' home, situated at Albany, Oregon, consisting of one block of ground in Goltra Park addition to the city of Albany, with a good three-story twenty-five-room building thereon, sufficient to accommodate one hundred inmates, with the furniture connected therewith, all in reasonable good condition, and the sum of \$1,000, money now on hand, upon the condition that the state will take charge of the same and maintain a home thereon for orphans and destitute children of the state of Oregon. Requesting at your hands favorable action thereon, we are,

Yours truly,

THE LADIES AID SOCIETY,
By M. M. BLAIN, President.

[SEAL.]
Attest :

ALZINA MARTIN, Secretary.

Senator Kelly moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Wade—25.

Nays—Senators Haines, Harmon, Smith and Mr. President—4.

Absent—Senator Morrow.

So the resolution was adopted.

Senate bill No. 104. Senator Josephi. A bill for an act to provide for park commissioners, for the acquisition of land for parks and the management thereof.

Senator Josephi moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 105. Senator Reed. A bill for an act to authorize the construction and maintenance of a floodgate on Hudson slough and other sloughs in Douglas county.

Senator Reed moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Reed moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Reed, referred to the committee on fishing industries.

Senate bill No. 106. Senator Daly of Benton. A bill for an act to amend sections 13, 15, 16, 17, 18 and 19 of chapter III, general laws of Oregon, incorporating the city of Corvallis.

Senator Daly of Benton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 107. Senator Harmon (by request). A bill for an act to protect salmon and other food fishes of Rogue river.

The bill was read first time and passed to second reading without question.

Senate bill No. 108. Senator Kuykendall. A bill for an act to provide for a system of county high schools, and perfecting the school system, etc.

Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 109. Senator Daly of Lake. A bill for an act to provide for the sale of agricultural college lands.

Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Unanimous consent being given, Senator Mulkey introduced senate joint resolution No. 5.

SENATE JOINT RESOLUTION NO. 5.

Resolved by the senate, the house concurring, That the following amendment of the constitution of the state of Oregon be and hereby is proposed:

AMENDMENT.

Section 1. That article XII of the constitution of the state of Oregon be and the same hereby is abrogated, and in lieu thereof article XII of the constitution of the state of Oregon shall be as follows:

ARTICLE XII.

Section 1. The legislative assembly shall have power to provide for the election of a state printer and prescribe his duties and salary.

On motion of Senator Fulton, the resolution was ordered printed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 12, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 5, providing for a joint committee of three on the part of the house and two on the part of the senate, to examine the books and accounts of the board of commissioners for the sale of school and university lands, with power to employ the necessary clerical aid.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 5.

Resolved by the house, the senate concurring, That a committee of three on the part of the house and two on the part of the senate be appointed to examine the books and accounts of the board of commissioners for the sale of school and university lands, with power to employ the necessary clerical aid ; *provided*, the compensation of the clerk be \$3 a day, and only one clerk be employed.

On motion of Senator Harmon, the resolution was concurred in. Unanimous consent being given, Senator Daly of Lake introduced senate concurrent resolution No. 2.

SENATE CONCURRENT RESOLUTION NO. 2.

Resolved by the senate, the house concurring, That the following amendments to the constitution of the state of Oregon be and are hereby proposed :

That to article IV, section 32, shall be added as follows :

ARTICLE IV.

Section 32. Every and all bills making appropriations of money from the funds of the state shall be introduced not later than five days before the time of final adjournment of the legislature.

That to article V, section 19, shall be added as follows :

ARTICLE V.

Section 19. Every and all bills which shall have passed the legislative assembly making appropriations of sums of money for different purposes, it shall be competent for the governor to veto any one or more of the separate items of appropriations, and return the same with his objections thereto, as provided in section 15, and approve the remaining portions of the bill, which shall then become a law.

On motion of Senator Daly of Lake, the resolution was ordered printed.

On motion of Senator Smith, the courtesies of the senate were extended to Hon. S. L. White, of Baker City, and he was invited to a seat within the bar.

Senate bill No. 1 coming on for second reading, Senator Dufur moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Morrow.

So the rules were suspended and the bill was read second time by title only.

Senator Dufur moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wado and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 17, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 3, providing for an amendment to the constitution permitting the governor to veto any item in an appropriation bill without invalidating any other items in said bill.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE JOINT RESOLUTION NO. 3.

Resolved by the house, the senate concurring, That the following amendments to the constitution of the state of Oregon be and are hereby proposed: That to article V, section 19, shall be added as follows:

ARTICLE V.

Section 19. Every and all bills which shall have passed the legislative assembly making appropriations of sums of money for different purposes, it shall be competent for the governor to veto any one or more of the separate items of appropriations, and return the same with his objections thereto, as provided in section 15, and approve the remaining portions of the bill, which shall then become a law.

On motion of Senator Smith, the resolution was referred to the committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 13, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 1, memorializing congress to grant pensions to the Indian war veterans, the same as Mexican war veterans.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE JOINT MEMORIAL NO. 1.

To the honorable senate and house of representatives of the United States of America:

Your memorialist, the legislative assembly of the state of Oregon, most respectfully represents:

That the original territory of Oregon at one time comprised that vast country now included in and composing those great states of the American union known as Oregon, Washington and Idaho, and also a part of the state of Montana.

That those pioneers, who at an early day came over the plains and the Rocky and Sierra Nevada mountains, beset on all sides with great hardships and perils, and unfurled to the winds of this, then far-off country, the flag of our beloved land in the valleys of Oregon, and gave to the union a vast empire of fertile soil, as valuable as that obtained from Mexico at a cost of the valuable lives of thousands of our brave countrymen and more than thirty-five millions of dollars, and of infinitely more value than the territory of Alaska, for which it is generally admitted that the money was wisely expended by our government.

All this vast country, now furnishing homes and ample support for millions of our fellow citizens and adding untold wealth to the nation, was secured and preserved to the union by the energy, perseverance and un-

daunted bravery of those early pioneers, who were surrounded on all sides by treacherous and merciless Indian savages, friendly to and allied with those who were then friendly to Great Britain, our ancient enemy.

That Indian wars and many massacres followed, and these early settlers were, for a long time after their arrival here, in great peril, and in order to protect themselves and the lives of their families, were compelled to and did organize and maintain armies without any aid or assistance whatever from the general government, owing to the fact that communication with the seat of government, on account of the vast distance and the almost insurmountable difficulties in the way, was for a long time impossible.

Numerous wars occurred with the various Indian tribes between the years 1847 and 1857 in which the resources and early inhabitants of this new country were heavily and sorely taxed and many of the bravest of those hardy pioneers were slain and others maimed for life, but their valor and courage were so strong that victory finally rewarded their efforts.

These brave men who engaged in those deadly conflicts were then young, but now the few survivors are old and feeble and bowed down under the ever increasing burden of the unceasing years, and many of them, if not all, need assistance; many of them are lame and go about with difficulty on account of severe wounds received in the line of battle while fighting for as just a cause as ever animated brave men on a field of carnage; some of these men, on account of age and physical infirmities, will soon pass off the stage of action and then it will be too late to render that assistance which they so much deserved and so much needed; but the civilization and blessings to posterity which have arisen out of their labors and distress still live and will continue to live while the flag of the republic continues to float in the breeze and the eternal stars shine on its ample folds.

A just and generous government has recognized in a proper manner the great services of those who did the fighting in all its wars heretofore, and pensions therefor have been justly and liberally given, but those who have struggled in an humbler sphere and the results of which have been as far-reaching and the results of their victories as beneficial to the nation as any others recorded in our history go unrewarded simply because they were not regularly mustered into the service of the United States. These pioneer men who came to Oregon in an early day and settled in the Indian country were encouraged and induced to do so by the government of the United States. They came; their services were great; their lot was hard; their accomplishments and achievements to their country were vast and were appropriated by the government. Their victories, though at great expense and suffering to them, gave richer return to our common country than any other achievements within the last half century, and this great government should recognize and reward their valuable labors in a just and proper manner and put them on an equality with the veterans of the Mexican war.

Wherefore, your memorialist most earnestly and respectfully asks that justice be done to the survivors of the Indian wars during the period between 1847 and 1857, and that the same pensions and benefits granted to the veterans of the Mexican war be given to those who served in the Indian wars of the territory of Oregon in the volunteer service whether of the territory or general government.

That this memorial be forwarded to our senators and representatives in congress, with the request that they present the same and urge the immediate passage of a law in keeping herewith.

Senator Kelly moved the adoption of the memorial.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe,

Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Morrow—2.

So the memorial was adopted.

Senate bill No. 110. Senator Fulton (by unanimous consent).

By consent the bill was withdrawn.

Senate bill No. 111. Senator Fulton (by unanimous consent).

A bill for an act to amend section 504, title VIII, chapter V, miscellaneous laws.

The bill was read first time and passed to second reading without question.

Senate bill No. 112. Senator Fulton (by unanimous consent).

A bill for an act to amend section 149, title XV, chapter I of the miscellaneous laws.

The bill was read first time and passed to second reading without question.

Senate bill No. 113. Senator Fulton (by unanimous consent).

A bill for an act to provide for the examination of plaintiffs in actions for damages, and to declare an emergency.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 2 coming on for second reading, Senator Bates moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Bates, referred to a special committee, consisting of the senators from Multnomah county.

Senate bill No. 3 coming on for second reading, Senator Daly of Benton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the rules were suspended and the bill was read second time by title only.

Senator Daly of Benton moved that the bill be referred to the special committee for revision of school laws.

Senator Kuykendall moved to amend to refer to the committee on education.

The motion to amend prevailed.

The motion as amended prevailed and the bill was referred to the committee on education.

Senate bill No. 4 coming on for second reading was read second time and referred to the committee on revision of laws.

Senate bill No. 5 coming on for second reading was read second time and referred to the committee on penal institutions.

Senate bill No. 6 coming on for second reading, Senator Harmon moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykenkall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Harmon, was referred to the committee on judiciary.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

January 16, 1899.)

Mr. President:

Your committee on enrolled bills, to whom was referred senate joint resolution No. 3, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

On motion of Senator Smith, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

TUESDAY, JANUARY 17, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 17, 1899. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senator Morrow, who was excused.

The morning session was opened with prayer by Rev. John Parsons, D.D., of Salem, Oregon.

On motion of Senator Harmon, the reading of the journal of yesterday's proceedings was dispensed with.

On motion of Senator Kuykendall, the courtesies of the senate were extended to Hon. S. H. Friendly, of Eugene, and he was invited to a seat within the bar.

On motion of Senator Daly of Benton, the courtesies of the senate were extended to Hon. J. F. Galbraith, of McMinnville, Oregon, and he was invited to a seat within the bar.

Unanimous consent being given, Senator Cameron introduced senate resolution No. 9.

SENATE RESOLUTION NO. 9.

Resolved, That the sergeant-at-arms of the senate be instructed to furnish the members and officers of the senate with copies of three daily state papers during the session.

On motion of Senator Cameron, the resolution was adopted.

Unanimous consent being given, Senator Porter introduced senate resolution No. 10.

SENATE RESOLUTION NO. 10.

Resolved, That the president of the senate be and he hereby is authorized to appoint two stenographers, who shall be under the supervision of the chief clerk. Said stenographers shall do such work for the senate and the members thereof as the chief clerk may direct.

On motion of Senator Porter, the resolution was adopted.

Unanimous consent being given, Senator Fulton introduced senate joint resolution No. 6.

SENATE JOINT RESOLUTION NO. 6.

Resolved by the senate, the house concurring, That the secretary of state be and is hereby directed to deliver to Frances Fuller Victor, or her agent, ten volumes of the history, "The Early Indian Wars of Oregon," of which she is the author, to be distributed by her to such authors, libraries or other institutions as she may think proper.

Senator Fulton moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykenkall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the resolution was adopted.

Senate bill No. 114. Senator Dufur (by unanimous consent). A bill for an act to better provide for and regulate the proceedings in justices' courts.

Senator Dufur moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 115. Senator Dufur (by unanimous consent). A bill for an act fixing the compensation of the county judge and county clerk of Wasco county.

Senator Dufur moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon,

Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 116. Senator Morrow (by unanimous consent). A bill for an act to incorporate Canyon City, in Grant county, Oregon.

Senator Morrow moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Fulton.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 117. Senator Daly of Lake (by unanimous consent). A bill for an act accepting the terms of congress, August 18, 1894, granting one million acres of land, and making an appropriation therefor.

Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Dufur.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 118. Senator Mackay (by unanimous consent). A bill for an act relating to warehousemen and warehouse receipts.

Senator Mackay moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Mulkey.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 16, 1899. }

Mr. President:
I am directed by the speaker to inform you that he has signed house concurrent resolution No. 1.
And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 16, 1899. }

Mr. President:
I am directed by the speaker to inform you that he has signed house concurrent resolution No. 4.
And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 16, 1899. }

Mr. President:
I am directed by the speaker to inform you that he has signed house concurrent resolution No. 6.
And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,)
SALEM, Oregon,)
January 16, 1899.)

Mr. President:

I am directed by the speaker to inform you that he has signed house concurrent resolution No. 7.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 119. Senator Patterson (by unanimous consent). A bill for an act to amend sections 2, 3 and 4 of an act authorizing the appointment of official reporters.

Senator Patterson moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Mulkey.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 120. Senator Fulton (by unanimous consent). A bill for an act submitting proposed amendments to the constitution.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 121. Senator Kelly (by unanimous consent). A bill for an act to amend section 2836 of Hill's annotated laws of Oregon.

Senator Kelly moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

The president announced that he was about to sign house concurrent resolutions Nos. 1, 4, 6 and 7, and soon thereafter stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 97, a bill for an act to amend the charter of the city of Albany.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 122. Senator Fulton (by unanimous consent). A bill for an act to amend sections 537 and 541, laws of Oregon.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 123. Senator Fulton (by unanimous consent). A bill for an act to amend an act authorizing the appointment of official stenographers.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 8 coming on for second reading was read second time and referred to the committee on revision of laws.

Senate bill No. 9 coming on for second reading, Senator Josephi moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on medicine, pharmacy and dentistry.

— Senate bill No. 10 coming on for second reading was read second time and referred to the committee on judiciary.

Senate bill No. 11 coming on for second reading was read second time and referred to a special committee, consisting of the senators from the fifth judicial district.

Senate bill No. 12 coming on for second reading, Senator Adams moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Cameron and Dufur—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senate bill No. 13 coming on for second reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Dufur.

So the rules were suspended and the bill was read second time by title only and referred to the committee on assessment and taxation.

Senate bill No. 14 coming on for second reading, Senator Morrow moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on railroads.

Senate bill No. 15 coming on for second reading, Senator Smith moved that the rules be suspended and that the bill be read second time by title only.

Nays—None.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on railroads.

Senate bill No. 16 coming on for second reading, Senator Kelly moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 30.

Nays — None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senate bill No. 17 coming on for second reading was read second time, and, on motion of Senator Fulton, referred to the committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate joint resolution No. 3.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 18 coming on for second reading was read second time, and, on motion of Senator Mulkey, referred to the committee on printing.

Senate bill No. 19 coming on for second reading, Senator Brownell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 30.

Nays — None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senate bill No. 20 coming on for second reading was read second time, and, on motion of Senator Smith, referred to the committee on judiciary.

Senate bill No. 62 coming on for second reading was read second time and referred to the committee on judiciary.

The president announced that he was about to sign senate joint resolution No 3, and soon thereafter stated that he had signed the same.

Senate bill No. 100 coming on for second reading, Senator Daly of Benton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 30.

Nays — None.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Daly of Benton, referred to the committee on engrossed bills.

Senate bill No. 124. Senator Dufur (by unanimous consent). A bill for an act entitled an act to amend section 2991 of title II of chapter XIV, miscellaneous laws of Oregon.

Senator Dufur moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 30.

Nays — None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 169, a bill for an act to incorporate the city of Cottage Grove.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 17, 1899. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present.

On motion of Senator Haines, the reading of the journal of yesterday's proceedings was dispensed with.

The president appointed Georgie Powell and J. C. Rutenic as stenographers for the senate, as provided under senate resolution No. 10.

On motion of Senator Daly of Benton, the courtesies of the senate were extended to Hon. C. B. Crosno, of Lincoln county, and he was invited to a seat within the bar.

On motion of Senator Dufur, the courtesies of the senate were extended to Hon. W. R. Bilyeu, of Albany, Oregon, and he was invited to a seat within the bar.

On motion of Senator Daly of Lake, the courtesies of the senate were extended to Hon. C. B. Watson, of Lake county, and he was invited to a seat within the bar.

Senate bill No. 21 coming on for second reading was read second time and referred to the committee on medicine, pharmacy and dentistry.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has appointed as members of the joint committee as provided for under house concurrent resolution No. 6, to examine the books of the secretary of state, Messrs. Bayer and Grace.

And the same is herewith transmitted to you for the information of the senate.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 22 coming on for second reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Harmon.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Daly of Lake, referred to the committee on revision of laws.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 17, 1899.)

Mr. President:

I am directed by the speaker to inform you that he has appointed Messrs. Moody, Massingill and McAlister as members of the joint committee to examine the books of the state treasurer, as provided under house concurrent resolution No. 1.

And the same is herewith transmitted to you for the information of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 17, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 1.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 17, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has amended senate joint resolution No. 4 and, as amended, has concurred in the same.

AMENDMENT.

Resolved by the senate, the house concurring, That a committee of five, consisting of two from the senate and three from the house,

be appointed to investigate all propositions to transfer to the state an orphans' home, and to visit the places and property offered and report the findings to the committee on ways and means within ten days.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senator Kuykendall moved to concur in the amendment.

Senator Selling moved to amend the amendment as follows:
"That the joint committee shall report to the respective houses."

The motion to amend prevailed.

On motion of Senator Selling, the amendment as amended was concurred in.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 181, a bill for an act to amend the charter of Drain.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Kuykendall introduced senate resolution No. 11.

SENATE RESOLUTION NO. 11.

Resolved, That the state printer be directed to print two hundred and forty additional copies of senate bill No. 3, the supply first ordered being already exhausted.

On motion of Senator Kuykendall, the resolution was adopted.

On motion of Senator Fulton, the courtesies of the senate were extended to Mrs. Narcissa White Kinney and Mrs. E. M. Vandervoort, and they were invited to seats within the bar.

Senate bill No. 23 coming on for second reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Harmon.

So the rules were suspended and the bill was read second time by title only and referred to the committee on railroads.

Senator Mulkey introduced senate resolution No. 12.

SENATE RESOLUTION NO. 12.

Resolved, That the secretary of state be called upon to place upon the desks of members of the senate the session laws of 1893, 1895 and 1898, the same to be returned to his custody at adjournment of the legislature.

On motion of Senator Mulkey, the resolution was adopted.

Senate bill No. 24 coming on for second reading, Senator Mulkey moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on assessment and taxation.

Senate bill No. 25 coming on for second reading, Senator Brownell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Dufur.

So the rules were suspended and the bill was read second time by title only and referred to the committee on railroads.

Senate bill No. 26 coming on for second reading was read second time and referred to the committee on penal institutions.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 17, 1899. }

Your committee on enrolled bills, to whom was referred senate bill No. 1, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

Senate bill No. 125. Senator Fulton (by unanimous consent). A bill for an act to make the seashore of the Pacific ocean, in Clatsop county, a public highway.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Fulton moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Selling—2.

So the rules were suspended and the bill was read second time by title only.

Senator Fulton moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Ben-

ton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Selling—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Cameron and Selling—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 126. Senator Daly of Benton (by unanimous consent). A bill for an act providing for the selection and sale of state lands.

Senator Daly of Benton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No 127. Senator Wade (by request, by unanimous consent). A bill for an act giving preference in appointment and employment to honorably discharged soldiers and sailors.

The bill was read first time and passed to second reading without question.

Senate bill No. 128. Senator Clem (by unanimous consent). A bill for an act to provide a maximum rate for transporting passengers by railway companies and rights of ticket holders.

Senator Clem moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Cameron and Patterson—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 129. Senator Clem (by unanimous consent). A bill for an act to determine and regulate the liabilities of employers to make compensation for personal injury.

Senator Clem moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Cameron and Patterson—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 130. Senator Clem (by unanimous consent). A bill for an act to regulate the duties of railroad companies doing business in the state of Oregon in certain cases.

Senator Clem moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Cameron and Patterson—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 16, 1899. }

Your committee on fishing industries, to whom was referred senate bill No. 66, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. REED,
Chairman.

Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 16, 1899. }

Your committee on fishing industries, to whom was referred senate bill No. 105, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. REED,
Chairman.

Senator Reed moved that the rules be suspended and that senate bill No. 66 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Cameron.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Cameron and Harmon—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 131. Senator Mulkey (by unanimous consent). A bill for an act to repeal the act to create the office of state land agent.

Senator Mulkey moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Cameron and Patterson—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 132. Senator Dufur (by unanimous consent). A bill for an act to amend section 1411 of chapter XX, laws of Oregon.

The bill was read first time and passed to second reading without question.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 17, 1899. }

Your committee on engrossed bills, to whom was referred senate bill No. 100, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

JOHN D. DALY,
Chairman.

Senator Daly of Benton moved that the rules be suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell,

Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Cameron.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Fulton introduced senate petition No. 1.

SENATE PETITION NO. 1.

To the honorable senate and house of representatives:

We, the undersigned, taxpayers, citizens and residents of Clatsop county, respectfully petition your honorable body requesting you to amend the present road laws of our state, especially in the manner of collecting the state and road poll tax; also to provide for levying a special road tax of not to exceed five mills, by a majority of resident property owners of any road district in the state; and further to amend the city charter of the city of Astoria so that at least fifty per cent. of the road tax collected in the city may be expended by direction of the county court of Clatsop county on county roads where improvements are most required.

On motion of Senator Fulton, the petition was referred to the committee on roads and highways.

House bill No. 97 coming on for first reading, Senator Kelly moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Kelly moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Cameron.

So the rules were suspended and the bill was read second time by title only and referred to the committee on municipal corporations.

House bill No 169 coming on for first reading, Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Cameron.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Kuykendall moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Cameron.

So the rules were suspended and the bill was read second time by title only.

Senator Kuykendall moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith and Wade—28.

Nays—Mr. President.

Absent—Senator Dufur.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Cameron and Selling—2.

So the bill passed.

• There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 133. Senator Harmon (by unanimous consent). A bill for an act to amend the charter of the city of Grants Pass.

Senator Harmon moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Cameron.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Harmon moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

So the rules were suspended and the bill was read second time by title only, and referred to the committee on municipal corporations.

Senate bill No. 134. Senator Dufur (by unanimous consent). A bill for an act to prevent swine from running at large in Sherman county.

Senator Dufur moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 30.

Nays — None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 181 coming on for first reading, Senator Selling moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 30.

Nays — None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

WEDNESDAY, JANUARY 18, 1899.

MORNING SESSSION.

SENATE CHAMBER,
SALEM, Oregon,
January 18, 1899. }

The senate was called to order at 10 o'clock a. m., by the president.

The roll was called, and all the senators were present.

The morning session of the senate was opened with prayer by Rev. H. F. Wallace, of Portland, Oregon.

On motion of Senator Haines, the reading of the journal of yesterday's proceedings was dispensed with.

On motion of Senator Brownell, the courtesies of the senate were extended to Hon. Chris. Schubel and Hon. Eugene Hedges, of Oregon City, and they were invited to seats within the bar.

On motion of Senator Kelly, the courtesies of the senate were extended to Hon. S. A. Dawson, of Albany, Oregon, and he was invited to a seat within the bar.

Senate bill No. 135. Senator Smith (by unanimous consent). A bill for an act amending an act regulating the practice of pharmacy.

Senator Smith moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 136. Senator Kelly (by unanimous consent). A bill for an act for the relief of Iva Templeton.

The bill was read first time and passed to second reading without question.

House bill No. 2 coming on for second reading was read second time and referred to the committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted senate joint resolution No. 6.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

House bill No. 181 coming on for second reading, Senator Mulkey moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on municipal corporations.

Senator Patterson introduced senate joint resolution No. 7.

SENATE JOINT RESOLUTION NO. 7.

Section 15. Every bill which shall have passed the legislative assembly, before it becomes a law, be presented to the governor. If he approve, he shall sign it; but if not, he shall return it with his objections to the house in which it shall have originated, which house shall enter the objections at large upon the journal, and proceed to reconsider it. Whenever any bill, which shall have passed the legislative assembly, appropriating separate sums of money for separate and distinct purposes, is presented to the governor, if he approve it he shall sign it. If he approves separate portions of said bill, and does not approve of one or more items of said appropriation, he may sign said bill, stating the part therein which he approves, and shall return said bill with his objections to a part thereof to that house in which it shall have originated, which house shall enter the objections at large upon the journal, and proceed to reconsider the part thereof which shall not have been approved. If, after the reconsideration provided in this section, two-thirds of the members present shall agree to pass the bill, or, if it be an appropriation bill, the part thereof not approved by the governor, said bill shall be sent, together with the objections, to the other house, where it shall be reconsidered in the same manner. And if said bill, or an appropriation bill, the part thereof which the governor did not approve, be approved by two-thirds of the members present, it shall become a law. But where the veto is to a separate part of an appropriation bill, as herein provided, and the part so vetoed is not approved by two-thirds of the members present in

each house, as above provided, the remainder of said appropriation bill, approved by the governor, shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the members voting for or against the bill shall be entered upon the journal of each house respectively. If any bill shall not be returned by the governor within five days (Sunday excepted) after it shall have been presented to him, it shall be a law without his signature, unless the general adjournment shall prevent its return, in which case it shall be a law unless the governor within five days after adjournment (Sunday excepted) shall file said bill with his objections thereto, or his objections to part of an appropriation bill, as herein provided, in the office of the secretary of state, who shall present the same before the legislative assembly at its next session in like manner as if it had been returned by the governor. Where the objections are to be a part of an appropriation bill, and the remainder of the bill approved by the governor, the portions thereof approved shall be a law, notwithstanding the objections to a portion of said bill.

On motion of Senator Patterson, the resolution was referred to the committee on judiciary.

Senate bill No. 137. Senator Wade. A bill for an act to regulate the business done by sleeping and tourist car companies within the state of Oregon, and to provide for state tax on same.

Senator Wade moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Haines.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 138. Senator Howe. A bill for an act to amend sections 2 and 8, and to repeal section 9, to regulate building, loan and savings institutions.

Senator Howe moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Haines.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 139. Senator Howe. A bill for an act to provide for the regulation, government and control of building and loan and savings associations.

Senator Howe moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Haines.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 140. Senator Howe. A bill for an act to regulate mutual fire insurance.

Senator Howe moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Haines.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 141. Senator Daly of Benton. A bill for an act to provide for a state board of textbook commissioners.

Senator Daly of Benton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Reed.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Daly of Benton moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President — 27.

Nays — Senator Selling.

Absent — Senators Brownell and Howe — 2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

Senate bill No. 142. Senator Dufur. A bill for an act to amend sections 149 and 151 of title XV, chapter I of the code of civil procedure, as compiled and annotated by W. Lair Hill.

Senator Dufur moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Porter.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 143. Senator Josephi. A bill for an act to provide for levying and collecting a tax on bicycles.

Senator Josephi moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Proebstel, Selling, Smith, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Porter and Reed — 2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 144. Senator Selling. A bill for an act providing for the payment of certain fees to the recorder of conveyances, clerks of the circuit courts and county courts in the state, and to sheriffs in certain counties, and for the payment of trial fees, and providing for the payment to the state and several counties of sums of money and fees paid to said officers by parties litigant, and others, and providing for the manner of payment of salaries of county officials.

Senator Selling moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Proebstel, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Porter and Reed—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 145. Senator Proebstel. A bill for an act making the bonds of the city of Pendleton available for deposit with the state treasurer.

Senator Proebstel moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Proebstel, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Porter and Reed—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 146. Senator Proebstel. A bill for an act to fix the salaries of county treasurers.

Senator Proebstel moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell,

Morrow, Mulkey, Patterson, Proebstel, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Porter and Reed—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 147. Senator Proebstel. A bill for an act to fix compensation of commissioners of county courts of this state.

Senator Proebstel moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Proebstel, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Porter and Reed—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 148. Senator Brownell. A bill for an act for the protection of lines of electric lighting and electric power wires.

Senator Brownell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Proebstel, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Porter and Reed—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 149. Senator Brownell. A bill for an act to provide for a convention to prepare a new constitution.

Senator Brownell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Proebstel, Selling, Smith, Wade and Mr. President—28.

Absent—Senators Porter and Reed—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 150. Senator Mulkey. A bill for an act to create a state board of equalization of assessment.

Senator Mulkey moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Fulton.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 151. Senator Smith. A bill for an act to amend section 896 of the laws of Oregon.

Senator Smith moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Reed.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 152. Senator Looney. A bill for an act to empower the trustees of Jefferson institute to transfer real and personal property.

The bill was read first time and passed to second reading without question.

Senator Looney moved that the rules be suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Absent—Senators Dufur and Michell—2.

So the rules were suspended and the bill was read second time by title only.

Senator Looney moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Dufur—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Morrow, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Michell and Porter—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bill No. 1.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate bill No. 1, and soon thereafter stated that he had signed the same.

WEDNESDAY, JANUARY 18, 1899.

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MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has concurred in senate amendment to house amendment to senate joint resolution No. 4.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Morrow, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER, }
SALEM, Oregon, }
January 18, 1899. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present.

The president submitted to the senate the following communication:

COMMUNICATION.

PORTLAND, Oregon, January 17, 1899.

Speaker Taylor, state senate—

DEAR SIR: By direction of the general committee of the East Side republican clubs, of Portland, Oregon, I hereby transmit to you and through you to the state senate, an invitation to the members to attend a Lincoln memorial service, which will take place in the Centenary Methodist church, East Side, Sunday evening, February 12. On that occasion an address will be delivered by Hon. W. D. Fenton, a prominent democrat of Portland, and Governor Geer has signified his willingness to be present and introduce Mr. Fenton. Arrangements will be made for reserving seats in the church for members of the legislature.

Very respectfully,

GEORGE J. CAMERON,
Secretary.

L. H. WELLS,
Chairman general committee.

On motion of Senator Selling, the invitation contained in the

communication was accepted by the senate, and the chief clerk was instructed to so notify the committee.

The president appointed Senators Fulton and Reed on the part of the senate as members of the joint committee as provided under house concurrent resolution No. 5.

The president appointed Senators Kelly and Daly of Benton on the part of the senate as members of the joint committee as provided under senate joint resolution No. 4.

The president appointed Senators Reed and Daly of Lake on the part of the senate as members of the joint committee as provided under house concurrent resolution No. 2.

Senate bill No. 153. Senator Wade. A bill for an act to regulate the transportation of passengers and freight by railroad corporations.

Senator Wade moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Howe and Michell—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 154. Senator Morrow. A bill for an act to cure defects in judicial sales and sales by administrators and executors.

Senator Morrow moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Porter—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

The president presented to the senate the following communications:

COMMUNICATION.

SALEM, Oregon, January 18, 1899.

To the honorable, the president of the senate:

I beg leave to say that senate joint resolution No. 1 was forwarded to our representatives in congress and the enclosed reply has been received. I have the honor to be, very respectfully, your obedient servant,

F. I. DUNBAR,
Secretary of state.

WASHINGTON, D. C., January 18, 1899.

Hon. F. I. Dunbar, secretary of state, Salem, Oregon:

Memorial of the legislature of Oregon praying for a ratification of the treaty of peace between the United States and Spain was this morning presented by Senator Simon to the senate and referred to the committee on foreign relations.

GEORGE W. McBRIDE.
JOSEPH SIMON.

Senate bill No. 155. Senator Dufur. A bill for an act to amend sections 219 and 220 of title V, chapter II, code of civil procedure, and to declare an emergency.

Senator Dufur moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 156. Senator Mulkey. A bill for an act to prevent corrupt practices in elections.

Senator Mulkey moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Howe, Patterson and Porter—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 27 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Porter.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senate bill No. 28 coming on for second reading, Senator Mackay moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Howe and Mulkey—2.

So the rules were suspended and the bill was read second time by title only and referred to a special committee, consisting of the delegation from Multnomah county.

Senate bill No. 29 coming on for second reading, Senator Brownell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Howe.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Brownell, referred to the committee on judiciary.

Senate bill No. 30 coming on for second reading was read second time and referred to the committee on revision of laws

Senate bill No. 31 coming on for second reading, Senator Dufur moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Mulkey.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Dufur, referred to the committee on judiciary.

Senate bill No. 32 coming on for second reading was read second time and referred to the committee on medicine, pharmacy and dentistry.

Senate bill No. 33 coming on for second reading, Senator Kelly moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

So the rules were suspended and the bill was read second time by title only and referred to the committee on fishing industries.

Senate bill No. 34 coming on for second reading was read second time and referred to a special committee, consisting of the senators from Multnomah county.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate joint resolution No. 4.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 22, a bill for an act to amend subdivisions B, C, J and V of section 20 of an act to incorporate the city of Adams, etc.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

The president announced that he was about to sign senate joint resolution No 4, and soon thereafter stated that he had signed the same.

Senate bill No. 35 coming on for second reading, Senator Josephi moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senate bill No. 36 coming on for second reading was read second time, and, on motion of Senator Porter, referred to the committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 40, a bill for an act to create the office of state biologist without salary.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

Senate bill No. 37 coming on for second reading, Senator Kuykendall moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

So the rules were suspended and the bill was read second time by title only and referred to the committee on education.

Senate bill No. 38 coming on for second reading was read second time and referred to the committee on revision of laws.

Senate bill No. 39 coming on for second reading, Senator Proebstel moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

So the rules were suspended and the bill was read second time by title only and referred to the committee on claims.

Senate bill No. 40 coming on for second reading, Senator Morrow moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Morrow, referred to the committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house joint memorial No. 1.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house concurrent resolution No. 2.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house concurrent resolution No. 5.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 41 coming on for second reading, Senator Brownell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 30.

Nays — None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senate bill No 42 coming on for second reading, Senator Bates moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Mulkey.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Bates, referred to the committee on revision of laws.

The president announced that he was about to sign house joint memorial No. 1, and house concurrent resolutions Nos. 2 and 5, and soon thereafter stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 34, a bill for an act amending section 2345 of Hill's annotated laws of Oregon, relating to the fees of coroners.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 43 coming on for second reading, Senator Kelly moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykenkall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Mulkey.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

Senate bill No. 157. Senator Fulton (by unanimous consent). A bill for an act to provide members of the supreme court with stenographers, define their duties and fix their compensation.

The bill was read first time and passed to second reading without question.

Senate bill No. 158. Senator Dufur (by unanimous consent). A bill for an act to limit the time in which taxes and municipal assessments shall remain a lien on real estate.

Senator Dufur moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—20.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 152.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER, }
SALEM, Oregon, }
January 18, 1899. }

Mr. President:

Your committee on enrolled bills, to whom was referred senate joint resolution No. 4, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 18, 1899. }

Your committee on enrolled bills, to whom was referred senate bill No. 152, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 18, 1899. }

Your committee on enrolled bills, to whom was referred senate joint resolution No. 6, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

On motion of Senator Harmon, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

THURSDAY, JANUARY 19, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 19, 1899. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present.

The morning session was opened with prayer by Rev. T. H. Henderson, D. D., of Salem, Oregon.

On motion of Senator Haines, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 159. Senator Brownell (by unanimous consent). A bill for an act to amend the charter of the city of Oregon City.

Senator Brownell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Brownell moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only.

Senator Brownell moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The president submitted to the senate the following communication:

COMMUNICATION.

SALEM, Oregon, January 19, 1899.

To the honorable president and members of the senate, greeting:

GENTLEMEN: You are most respectfully and cordially invited to inspect the gold, silver and bronze medals, as well as some of the diplomas awarded to Oregon at the Trans-Mississippi and International Exposition held at Omaha, Nebraska, June 1 to October 31, 1898.

We captured one hundred and thirty-four of these trophies, being more than any other state in the union; and, above all, we were awarded a medal or diploma for every exhibit we entered.

I have displayed them for your convenience in the show window of Lunn & Brooks' drugstore, corner of Liberty and State streets.

Yours very truly,

HENRY E. DOSCH,
Commissioner and general superintendent.

On motion of Senator Morrow, the courtesies of the senate were extended to Hon. A. W. Gowan, of Burns, Oregon, and he was invited to a seat within the bar.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 19, 1899. }

Your committee on judiciary, to whom was referred house bill No. 2, beg leave to report that we have had the same under consideration, and respectfully report as follows :

On the question of the desirability, and even the necessity of affording the supreme court relief, your committee is in entire accord, and were it clear that this bill, if enacted, would not be in conflict with the constitution, the committee would doubtless unanimously recommend its passage.

Upon the question, however, of the power of the legislature to enact the law proposed, your committee is not in accord. A majority of the committee is of the opinion that the legislature is without authority to increase the number of justices of the supreme court, and in view of the importance of the question and the interest manifest therein, we feel justified in submitting briefly some of the reasons which have impressed us with this conviction.

Section 10 of article VII of the constitution reads as follows :

"Section 10. When the white population of the state shall amount to more than two hundred thousand, the legislative assembly may provide for the election of supreme and circuit judges in distinct classes, one of which classes shall consist of three justices of the supreme court, who shall not perform circuit duty, and the other class shall consist of the necessary number of circuit judges, who shall hold full terms without allotment, and who shall take the same oath as the supreme judges."

It is pointed out by those who are of the opinion that the bill is not in violation of the constitution, that while the section quoted provides that the supreme court shall consist of three justices, it does not say that that number shall never be increased, and in support of their view that the legislature may properly enact the proposed law, they quote the familiar rule applicable to the interpretation and construction of state constitutions, namely, that such instruments are not grants of power, but are limitations only of the power of the legislature, the legislature being vested with all legislative power not delegated to the general government by the federal constitution, or expressly or by necessary implication inhibited by the state constitution. While such is the rule, the question presented is, Does the language above quoted, or does the constitution as a whole, expressly or by necessary inference, limit the number of justices of the supreme court to three?

In considering this question, it is important to bear in mind that there are other rules of interpretation and construction besides the one above mentioned. For instance, we believe it to be universally conceded that in interpreting the language and construing the constitution, the language employed must be interpreted in its ordinary acceptation and meaning, and the constitution must be considered as a whole for the purpose of arriving at the intention of its framers in any one particular: Cooley's Constitutional Limitations, pages 70, 73, 79, 102 and 156.

The constitution provides a system of government and the powers of that government are divided into three separate departments, viz.: (1) The legislative; (2) the executive, which includes the administrative; and (3) the judicial. The legislative power is vested in the legislative assembly, "which shall consist of a senate and house of representatives." It will probably not be argued that a third house or legislative body could be created by the legislature, yet the power so to do is not in so many words expressly denied.

The chief executive power of the state is "vested in a governor," and it will hardly be contended that two or more governors may be provided for

by the legislature, yet the power so to do is not in express language inhibited.

It follows, then, that it will not in all cases suffice to invoke the rule that the legislature is vested with all power not expressly or by necessary implication inhibited by the constitution, for the purpose of showing or proving that the legislature is not denied the power to act in a given case. There are certain things which the constitution has dealt with completely; certain institutions it has established as a part of the system of government, and although the power of the legislature to change, vary, abolish or add to, be not expressly denied in so many words, by the language of the constitution, it is none the less clearly denied by necessary inference. The fact that these institutions are established and fixed by the constitution, places them beyond the power of the legislature to vary or reconstruct.

The judicial power is vested by the constitution in a supreme court, circuit courts and county courts, which are designated as courts of record, having general jurisdiction, to be defined, limited and regulated by law in accordance with the constitution.

The first justices of the supreme court under the constitution were required to perform circuit duty as well, but the framers of the constitution realized that the time would come when a separate supreme court would be necessary, and it is therefore provided in the constitution, that when the white population of the state shall have reached two hundred thousand, the legislature may provide for electing the supreme and circuit judges in distinct classes, "one of which class shall consist of three justices of the supreme court, who shall not perform circuit duty, and the other class shall consist of the necessary number of circuit judges."

Now, even if the first clause of the provision quoted stood alone, and it were simply stated that the legislature might provide for the election of a supreme court to consist of three justices, it would seem clear to us that the purpose and intent of the framers of the constitution was to limit the number of justices to three, but, when we consider that the clause providing that "one class shall consist of three justices of the supreme court," is followed by the further provision that the other class shall consist of the necessary number of circuit judges, it seems too clear to admit of argument that the purpose was to limit the number of supreme justices, and to leave to the judgment and discretion of the legislature to fix from time to time the number of circuit judges. If this was not the intention of the framers of the constitution, it is difficult to understand why they did not extend the privilege and power of the legislature to regulate the number of justices of the supreme court in language as clear and unequivocal as that employed in reference to the circuit judges.

Mr. Chief Justice Marshall says: "The framers of the constitution and the people who adopted it must be understood to have employed words in their natural sense and to have intended what they have said." The language employed authorizes the legislature to provide for the election of judges in distinct classes, one of which classes shall consist of what? "Of three justices of the supreme court." This language seems simple and in ordinary conversation would be easily and readily understood. In ordinary dealings between men and in the ordinary affairs of life, there would be no quibbling about its meaning. If one should authorize another to construct for him three buildings, it would not be argued in any court that he authorized the construction of as many more as might be deemed proper by the agent.

But it is said that at best the solution of this question is involved in doubt, and it is urged that when a substantial doubt exists, that doubt should be resolved in favor of the power of the legislature, and many cases are cited to show that such is the rule adopted by the courts. It is true such is the rule adopted by the courts in the construction of statutes when they are assailed on the ground of being unconstitutional. That construction is adopted by the courts out of respect and regard for the judgment of the leg-

islature, for, in enacting a law, the legislature gives its construction of the constitution, and, it being a coördinate branch of government, is entitled to respect and consideration from the courts, and therefore, out of deference to the judgment of the legislature, the courts are disposed to resolve any doubts they may have as to the constitutionality of a given law in favor of the power of the legislature, or rather in favor of the law which stands as the legislative construction. But this rule is not applicable to construction by the legislature itself. The rule which should govern the legislature in such cases is well stated by that eminent authority on the constitution, Mr. Cooley, in his work on constitutional limitations, as follows: "But when the legitimate lights for ascertaining the meaning of the constitution have been made use of, it may still happen that the construction remains a matter of doubt. In such case, it seems clear that every one called upon to act, where, in his opinion, the proposed action would be of doubtful constitutionality, is bound upon the doubt alone to abstain from acting. Whoever derives power from the constitution to perform any public function, is disloyal to that instrument, and grossly derelict in duty, if he does that which he is not reasonably satisfied the constitution permits."

It is also urged by the advocates of the measure in question, that had it been the purpose of the framers of the constitution to prohibit the legislature from increasing the number of supreme justices, they would have employed language similar to that which they did employ in section 2 of article VII, which creates the first supreme court and provides how it shall be constituted, and then provides that "the number of justices and districts may be increased, but shall not exceed five until the white population of the state shall amount to one hundred thousand, and shall never exceed seven." It must be remembered that the constitution in section 2 aforesaid, provided for the supreme and circuit courts which were first to serve under the constitution.

As we have above stated, in construing any portion of a written constitution, reference must be had to the entire instrument.

It is important, then, that we should consider section 2 and section 10 together, and, considering them together, they would read in this wise: "The number of justices and districts may be increased but shall not exceed five, until the white population of the state shall amount to one hundred thousand, and shall never exceed seven, but when the white population of the state shall amount to two hundred thousand, the legislative assembly may, if it sees fit so to do, provide for the election of supreme and circuit judges in distinct classes, one of which classes shall consist of three justices of the supreme court, and the other class shall consist of the necessary number of circuit judges."

Now, it will be observed that a limitation is first put on the number of justices, namely, it is provided that they shall never exceed seven, that is, the justices which are to perform both supreme and circuit duty; but the constitution says, in case the legislature sees fit to do so, it may, when the white population has reached or shall amount to two hundred thousand, provide for the election of a supreme court consisting of three justices, and as many circuit judges as shall be necessary. If we keep in mind the fact that this last clause is practically an exception or proviso that, under certain circumstances, the previous inhibition may be waived to this extent, namely, that the legislature may provide for the election of a supreme court to consist of three justices, it is clearer still that the purpose was to limit the number of justices of the supreme court, in case the legislature should see fit to avail itself of this permission.

But we are not left to depend entirely upon our own judgment as to the correct solution of this question. We have the construction of at least two previous legislative assemblies to guide us. In 1893 there was adopted by the legislature a proposed amendment to the constitution providing for five justices of the supreme court. In 1895 the proposed amendment was again adopted by the legislature and it is now ready to submit to the people.

Had the legislative assemblies of 1893 and 1895 supposed they had the power, under the constitution, without amendment, to enact a law increasing the number of justices, would they have gone through the useless, and in that case senseless work of adopting such resolution?

This proposed amendment is now ready to be submitted to the people, and, indeed, under the constitution we are bound to submit it. If, instead of so doing, we shall arrogate to ourselves the right and assume the power to determine this question, will it evidence a high regard for the judgment and rights of the people?

We respectfully submit that members of the legislative assembly, having taken a solemn obligation to support the constitution, should be the last ones to sanction or permit its violation in letter or in spirit, and if a proposed action is of doubtful validity, should feel bound by that doubt alone to abstain from acting, for surely one cannot be said to have acted with conscientious regard for his oath if he does that which he is not clearly convinced is right.

We respectfully recommend that the bill do not pass.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the report, with the bill, was made a special order for Monday, January 23, at 2 o'clock p. m.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 8, authorizing the state of Oregon to transfer the locks at Oregon City to the United States, provided it shall accept the ownership and control thereof.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 8.

Whereas, the producers of the Willamette valley pay large sums of money for transporting their products through the locks at Oregon City, paying therefor in 1898 the sum of \$20,000; and

Whereas, the state of Oregon has a claim of ownership upon said locks; be it

Resolved by the house, the senate concurring, That it is the sense of the Oregon legislature, now in session, that the locks at Oregon City shall pass under control of the United States government, and that our delegation in congress be asked to use their utmost endeavor to secure such government control, and whatever aid may come to the people of this state, through such ownership; *provided*, that the state of Oregon, upon the offer of the general government to exercise ownership or control over said locks, shall deed thereto all its title and interest in and to said locks.

On motion of Senator Brownell, the resolution was referred to the committee on commerce and navigation.

Unanimous consent being given, Senator Daly of Lake, chairman of the committee on medicine, pharmacy and dentistry, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 19, 1899.)

Your committee on medicine, pharmacy and dentistry, to whom was referred senate bill No. 32, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. DALY,
Chairman.

Unanimous consent being given, Senator Daly of Lake, chairman of the committee on medicine, pharmacy and dentistry, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 19, 1899.)

Your committee on medicine, pharmacy and dentistry, to whom was referred senate bill No. 9, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments to the printed bill:

AMENDMENT.

In line 1 of section 2, after the words "board of," strike out the word "six" and substitute in lieu thereof the word "four."

AMENDMENT.

Strike out section 3, and insert in lieu thereof the following:

Section 3. The governor, by virtue of his office, shall be a member and *ex officio* chairman of said board of trustees, and by and with the advice of the senate, shall during the regular session of the legislature, in the year 1899, appoint one trustee to serve until March 1, 1901, one to serve until March 1, 1903, and one to serve until March 1, 1905, and until his successor is appointed and qualified, and during the session of the legislature in 1901, the governor shall appoint, with the consent of the senate, one trustee who shall hold his office for six years and until his successor is appointed and qualified; and at each succeeding biennial session of the legislature, there shall be appointed in like manner, one trustee for said hospital, who shall hold his office six years and until his successor is appointed and qualified.

AMENDMENT.

In line 4 of section 5, after the words "said trustees," insert "except the governor."

AMENDMENT.

Strike out section 6 and insert in lieu thereof the following :

Section 6. The board of trustees shall, at their first meeting, which shall be held on the first Monday following their qualification, elect one of their number vice-president. The private secretary of the governor shall act as secretary of the board of trustees without additional compensation for such service. He shall keep accurate minutes of the transactions of the board, check over the bills and accounts sent up from the hospital for audit and approval, and perform such other duties as the board may from time to time direct; he shall be the custodian of the seal of the board and shall have power, under the direction of the board, to collect money due the hospital and, when collected, shall turn the same over to the secretary of state, taking his receipt therefor; such money shall thereupon be passed to the credit of the fund for the support of the hospital. The trustees shall have power to engage additional clerical help for the transaction of its business, if it find it necessary so to do.

AMENDMENT.

In line 7 of section 7, before the word "hospital" insert the words "capitol or," and in line 10 of section 7 strike out the word "governor" and insert in lieu thereof the word "legislature," and in line 14 of section 7 strike out the word "December" and insert the word "January."

AMENDMENT.

After the word and figure "section 8," in line 1 of section 8, insert the words: "The governor, as *ex officio* member and chairman of the board of trustees, shall receive for his services as such the sum of \$500 per annum, and the other." Also strike out the word "The" at the beginning of section 8.

AMENDMENT.

In line 1 of section 9 strike out the words "governor and."

AMENDMENT.

In line 2 of section 16 strike out the words "for the term of four years" and insert in lieu thereof the words "during good behavior."

AMENDMENT.

At end of section 16 add the words: "*Provided*, the medical officers now holding positions at the insane asylum shall continue to occupy such positions during the life of their respective commissions, subject in all respects to the rules governing their tenure of office at the time of their appointment."

B. DALY,
Chairman.

On motion of Senator Daly of Lake, the amendments were adopted.

On motion of Senator Smith, two hundred and forty extra copies of the report of the committee on judiciary on house bill No. 2 were ordered printed for distribution.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 19, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bill No. 152.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 2, favoring the election of United States senator by a direct vote of the people.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

HOUSE JOINT MEMORIAL NO. 2.

To the honorable congress of the United States:

We, your memorialists, the legislative assembly of the state of Oregon, in legislature assembled, would respectfully represent:

Whereas, in the course of human events, any of our time-honored customs become burdensome or have outlived their usefulness, it behooves us as representatives of the commonwealth of Oregon to advocate what we believe to be right and best for the whole people; and the time having arrived when the election of United States senator in any event is viewed with suspicion and in many instances is proven to have been accomplished through unwarrantable means; therefore, be it

Resolved by the legislative assembly of the state of Oregon, That we are in favor of electing the United States senator by a direct vote of the people, as other servants are elected, and not otherwise. That we would respectfully ask our representatives in national congress to use all honorable means within their power to accomplish the same.

Resolved, That the secretary of state be and he is hereby instructed to furnish a copy of this memorial to each of our United States senators and representatives in congress.

Senator Dufur moved the adoption of the memorial.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykenkall, Looney, Mackay, Morrow, Mulkey,

Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—Senators Daly of Benton and Michell—2.

So the memorial was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 19, 1899.

Mr. President:

I am directed by the speaker to inform you that he has signed senate joint resolution No. 6.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate bill No. 152 and senate joint resolution No. 6, and soon thereafter stated that he had signed the same.

Senator Kuykendall moved the adoption of the following amendments to senate bill No. 9.

AMENDMENT.

That section 1, line 3, be amended by striking out the words "for the insane" and insert the words "but the the function of the institution shall be and remain as at present a hospital and asylum for the insane and mentally defective."

AMENDMENT.

In section 2, line 3, strike out the words "for the insane."

The motion to adopt the amendments was lost.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 19, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 3.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE JOINT MEMORIAL NO. 3.

To the congress of the United States :

Whereas, the Pacific coast, and particularly the state of Oregon, would be greatly benefited by the opening up at the earliest possible date of the Nicaragua canal; and

Whereas, the people of the United States, and especially of the coast, have shown much interest in the project, realizing the great benefits to be derived therefrom by shortening the route by sea from coast to coast; therefore, be it

Resolved by the legislative assembly of the state of Oregon, That, by the showing made in the above-recited facts, such project should be under the control of the United States of America, and we therefore recommend that the same be constructed by this government, to be operated and owned exclusively by it.

Resolved, That a copy of this memorial as soon as adopted be presented to each of our senators and representatives in Washington.

On motion of Senator Michell, the memorial was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 19, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 255, a bill for an act to incorporate the city of Dallas.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 160. Senator Smith (by unanimous consent). A bill for an act amending section 5 of act relating to mining claims.

Senator Smith moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Smith moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Cameron, referred to the committee on mining.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 19, 1899.

Your committee on judiciary, to whom was referred senate bill No. 10, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Strike out the word "that," in line 4 of printed bill, and insert the word "than."

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendment was adopted.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 18, 1899.

Your committee on revision of laws, to whom was referred senate bill No. 22, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

PERCY R. KELLY,
Chairman.

Senate bill No. 44 coming on for second reading, Senator Daly of Benton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senate bill No. 45 coming on for second reading, Senator Kuykendall moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Kuykendall, referred to the committee on agriculture.

Senate bill No. 46 coming on for second reading, Senator Harmon moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senate bill No. 47 coming on for second reading was read second time, and, on motion of Senator Porter, referred to the committee on judiciary.

Senate bill No. 48 coming on for second reading, Senator Harmon moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Ben-

ton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on assessment and taxation.

Senate bill No. 49 coming on for second reading, Senator Morrow moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

Senate bill No. 50 coming on for second reading, Senator Kuykendall moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on education.

Senate bill No. 51 coming on for second reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time

by title only, and, on motion of Senator Daly of Lake, referred to the committee on judiciary.

Senate bill No. 52 coming on for second reading, Senator Adams moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on counties.

Senate bill No. 53 coming on for second reading was read second time, and, on motion of Senator Porter, referred to the committee on judiciary.

Senate bill No. 54 coming on for second reading, Senator Bates moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Reed.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Bates, referred to a special committee, consisting of the senators from Multnomah county.

Senate bill No. 55 coming on for second reading, Senator Looney moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Reed.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Looney, referred to the committee on agriculture.

Senate bill No. 56 coming on for second reading, Senator Smith moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Proebstel, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Porter and Reed—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

On motion of Senator Michell, the senate adjourned.

S. L. MOORHEAD.
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 19, 1899. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present

Senator Kelly moved that when the senate adjourns it adjourns to convene at 8 o'clock p. m.

The motion prevailed.

Senate bill No. 57 coming on for second reading was read second time, and, on motion of Senator Brownell, referred to the committee on assessment and taxation.

Senate bill No. 58 coming on for second reading, Senator Kelly moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mul-

key, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Kuykendall.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

Senate bill No. 59 coming on for second reading, Senator Bates moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Kuykendall and Reed—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Bates, referred to the committee on horticulture.

Senate bill No. 60 coming on for second reading, Senator Looney moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Reed.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Looney, referred to the committee on revision of laws.

Senate bill No. 61 coming on for second reading, Senator Harmon moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Kuykendall and Reed—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Harmon, referred to the committee on horticulture.

Senate bill No. 63 coming on for second reading was read second time, and, on motion of Senator Fulton, referred to the committee on horticulture.

Senate bill No. 64 coming on for second reading was read second time, and, on motion of Senator Fulton, referred to the committee on fishing industries.

Senate bill No. 65 coming on for second reading was read second time and referred to the committee on judiciary.

Senate bill No. 67 coming on for second reading, Senator Haines moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Driver.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

Senate bill No. 68 coming on for second reading, Senator Bates moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on roads and highways.

Senate bill No. 69 coming on for second reading, Senator Josephi moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Ben-

ton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Josephi, referred to the committee on medicine, pharmacy and dentistry.

Senate bill No. 70 coming on for second reading, Senator Mulkey moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

Senate bill No. 71 coming on for second reading was read second time, and, on motion of Senator Cameron, referred to the committee on assessment and taxation.

Senate bill No. 72 coming on for second reading, Senator Mackay moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to a special committee, consisting of the senators from Multnomah county.

Senate bill No. 73 coming on for second reading, Senator Brownell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey,

Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Driver and Kuykendall—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on roads and highways.

Senate bill No. 74 coming on for second reading was read second time, and, on motion of Senator Looney, referred to the committee on revision of laws.

Senate bill No. 75 coming on for second reading, Senator Bates moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Driver and Kuykendall—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Bates, referred to the committee on assessment and taxation.

Senate bill No. 76 coming on for second reading, Senator Harmon moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Driver and Kuykendall—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Harmon, referred to the committee on assessment and taxation.

Senate bill No. 77 coming on for second reading was read second time and referred to the committee on judiciary.

Senate bill No. 78 coming on for second reading, Senator Kuykendall moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykenkall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Driver.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Kuykendall, referred to the committee on commerce and navigation.

Senate bill No. 79 coming on for second reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Daly of Lake, referred to the committee on revision of laws.

Senate bill No. 80 coming on for second reading, Senator Mackay moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Driver.

So the rules were suspended and the bill was read second time by title only and referred to the committee on commerce and navigation.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 19, 1899. }

Your committee on engrossed bills, to whom was referred senate bill No.

32, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 19, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 22, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 19, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 10, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 19, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 100.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 81 coming on for second reading, Senator Looney moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Driver.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Looney, referred to the committee on education.

Senate bill No. 161. Senator Michell (by unanimous consent). A bill for an act to provide for the acceptance by the state of Oregon of certain lands and providing for the reclamation of and disposal of the same.

Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Driver.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 162. Senator Proebstel (by unanimous consent). A bill for an act to prohibit bringing into the state, selling or giving away cigarettes, cigarette paper or tobacco.

Senator Proebstel moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Driver.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 163. Senator Fulton (by unanimous consent). A bill for an act to incorporate the town of Seaside, Clatsop county.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Driver.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Fulton moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—27.

Nays—Senators Looney and Selling—2.

Absent—Senator Driver.

So the rules were suspended and the bill was read second time by title only and referred to the committee on municipal corporations.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 19, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 125.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 164. Senator Smith (by unanimous consent). A bill for an act to release sureties upon bonds, undertakings and sureties.

Senator Smith moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Ben-

ton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Driver and Porter—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 165. Senator Smith (by unanimous consent). A bill for an act to provide on what condition surety companies may transact business and facilitate giving sureties and bonds.

Senator Smith moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—20.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 166. Senator Patterson (by unanimous consent). A bill for an act to amend sections 2126 and 9 of the justice code of Oregon, relating to appeals in civil cases.

Senator Patterson moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Absent—Senators Brownell, Driver and Fulton—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Unanimous consent being given, Senator Cameron, chairman of the committee on mining, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

January 19, 1899.

Mr. President:

Your committee on mining, to whom was referred senate bill No. 160, beg leave to report that we have had the same under consideration, and

respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,
Chairman.

Unanimous consent being given, Senator Haseltine, chairman of the committee on municipal corporations, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 19, 1899.)

Your committee on municipal corporations, to whom was referred senate bill No. 133, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Section 1. That section 1 be amended so as to read as follows:

Sec. 1. That the territory embraced within the corporate limits of said city of Grants Pass shall consist of four wards, and shall be numbered and bounded as follows:

Ward No. 1 shall be bounded on the south by the Oregon and California railroad, on the west by the west boundary line of the city of Grants Pass, on the north by the north boundary line and on the east by Fifth street.

Ward No. 2 shall be bounded on the south by the Oregon and California railroad, on the east by the east boundary line of said city of Grants Pass, on the north by the north boundary line of said city, and on the west by Fifth street.

Ward No. 3 shall be bounded on the north by the Oregon and California railroad, on the east by the east boundary line of said city, on the south by the south boundary line of said city, and on the west by Fifth street.

Ward No. 4 shall be bounded on the north by the Oregon and California railroad, on the west by the west boundary line of said city, on the south by the south boundary line of said city, and on the east by Fifth street. That the power and authority delegated to said city of Grants Pass shall be vested in a mayor and common council, to consist of two aldermen from each ward, and their successors in office to be exercised as hereinafter prescribed.

AMENDMENT.

Section 2. That section 4 of said act be amended so as to read as follows:

Sec. 4. Two aldermen shall be elected in each ward by the qualified voters of such ward for two years as provided in this section, and shall hold their office until their successors are elected and qualified; *provided*, there shall, at the next election after the passage of this act, be elected in each of the wards of said city two aldermen, one of whom shall be elected for one year and one for two years, and the ballots used at such election shall designate whether the candidate shall serve for one or two years, and thereafter but one alderman shall be elected each year in each ward, and they each shall hold their office for two years, and until their successors are elected and qualified.

AMENDMENT.

Section 3. That section 6 of said act be amended so as to read as follows:

Sec. 6. There shall be appointed as hereinafter provided, a marshal, city surveyor, street superintendent and such other police officers as may from

time to time be needed, which officers, with the mayor and eight aldermen, police judge and city attorney, shall constitute the officers of this municipal corporation.

AMENDMENT.

Section 4. That section 7 of said act be amended so as to read as follows :

Sec. 7. The treasurer of this city shall be elected for one year, at each city election, and shall hold his office for one year and until his successor is elected and qualified (subject to removal by the mayor and a majority vote of the aldermen), and shall before entering upon the duties of his office file a bond, with two or more sureties, for the faithful discharge of his office, and for payment of all moneys that shall come into his hands, on warrants legally drawn by the city and to his successor in office.

AMENDMENT.

Section 5. That section 8 of said act be reenacted and amended so as to read as follows :

Sec. 8. The city surveyor, street superintendent, city marshal, and such other officers as may from time to time be required, shall each be appointed by the mayor, with the consent of a majority of the aldermen present at the first regular meeting of the common council after each annual city election, and such officers so appointed shall hold their offices until their successors are appointed and qualified, but any of the appointed or elective officers of this municipal corporation shall be liable to be removed from office and discharged from duty by the mayor and a majority of the common council for malfeasance, negligence, inattention, incompetency in office or intoxication.

AMENDMENT.

Section 6. That section 14 of said act be amended so as to read as follows :

Sec. 14. The common council, at least ten days before each annual city election, shall appoint three judges and two clerks in each ward of said city to hold the election in said wards, and who shall be immediately notified of their appointment by the police judge, and which judges and clerks of election shall receive \$1 each per day for their services.

AMENDMENT.

Section 7. That section 15 of said act be amended so as to read as follows :

Sec. 15. No person shall be qualified to vote at any city election held under this act who has not been an actual resident of the city of Grants Pass for six months preceding such election, and who has not been a resident of the ward in which he offers to vote for sixty days next preceding such election, and who does not possess the qualifications of a voter of the state of Oregon.

Section 8. That section 8 and 12 of the act (house bill 160) filed in the office of the secretary of state February 22, 1893, and all other acts or parts of acts in conflict with this act, be and the same are hereby repealed.

On motion of Senator Haseltine, the amendments were adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 19, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 159.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Mulkey, the courtesies of the senate were extended to Hon. Benjamin Hayden, and he was invited to a seat within the bar.

• Senator Haseltine, chairman of the special committee consisting of the senators from Multnomah county, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President: January 19, 1899.)

Your special committee, consisting of the senators from Multnomah county, to whom was referred senate bill No. 34, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

Senator Mulkey introduced senate petition No. 2.

SENATE PETITION. NO. 2.

To the legislative assembly of the state of Oregon:

We, the undersigned, respectfully petition your honorable body to amend title I, chapter LIV, miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, so that the same shall require the petitioner for a license to sell liquor in this state to obtain the signatures of an actual majority of the whole number of householders residing in the precinct in which he may wish to sell such liquor, instead of a majority of the legal voters in the precinct, as the law now requires.

(Signed by many petitioners.)

The petition was referred to the committee on education.
Senator Clem introduced senate petition No. 3.

SENATE PETITION NO. 3.

To the legislative assembly of the state of Oregon:

We, the undersigned, respectfully petition your honorable body to amend title I, chapter LIV, miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, so that the same shall require the petitioner for a license to sell liquor in this state to obtain the signatures of an actual majority of the whole number of householders residing in the precinct in which he may wish to sell such liquor, instead of a majority of the legal voters in the precinct, as the law now requires.

(Signed by many petitioners.)

The petition was referred to the committee on education.

House bill No. 22 coming on for first reading, Senator Proebstel moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Proebstel moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 30.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to the committee on municipal corporations.

House bill No. 34 was read first time and passed to second reading without question.

House bill No. 40 was read first time and passed to second reading without question.

Senator Haseltine moved that the rules be suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays—None.

Absent—Senator Driver.

So the rules were suspended and the bill was read second time by title only and referred to the committee on medicine, pharmacy and dentistry.

House bill No. 255 coming on for first reading, Senator Mulkey moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Mulkey moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Driver and Harmon—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on municipal corporations.

Senate bill No. 167. Senator Michell. A bill for an act entitled an act to provide for the recovery of costs by the prevailing party to actions in justice courts.

Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Adams and Driver—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

EVENING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 19, 1899. }

The senate was called to order at 8 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Driver and Howe, who were excused.

Senator Kelly moved that when the senate adjourns it adjourns to meet at 9:30 a. m. tomorrow.

The motion prevailed.

Senator Haseltine, chairman of the special committee to whom was referred senate bill No. 54, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 19, 1899. }

Mr. President:

Your special committee, to whom was referred senate bill No. 54, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Strike out of section 1 all after the word "office" in line 6 of printed bill.

J. E. HASELTINE,
Chairman.

On motion of Senator Bates, the amendment was adopted.

Senator Haines, chairman of the committee on penal institutions, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 19, 1899. }

Mr. President:

Your committee on penal institutions, to whom was referred senate bill No. 5, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

E. W. HAINES,
Chairman.

Senator Haines, chairman of the committee on penal institutions, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 17, 1899. }

Mr. President:

Your committee on penal institutions, to whom was referred senate bill No. 26, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

E. W. HAINES,
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 19, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 163, a bill for an act to fix the salary of the sheriff of Marion county.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senator Kuykendall, chairman of the committee on education, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 19, 1899. }

Mr. President:

Your committee on education, to whom was referred senate bill No. 50, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

W. KUYKENDALL,
Chairman.

Senate bill No. 168. Senator Daly of Lake. A bill for an act to amend section 1 of article VI of an act to incorporate the town of Lakeview, Oregon.

Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Driver and Howe.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 169. Senator Reed. A bill for an act to protect hotel keepers and boarding-house keepers.

The bill was read first time and passed to second reading without question.

Senator Reed moved that the rules be suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith and Wade—26.

Nays—Senators Selling and Mr. President—2.

Absent—Senators Driver and Howe—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Reed, referred to the committee on elections and privileges.

Senate bill No. 82 coming on for second reading was read second time, and, on motion of Senator Daly of Benton, referred to the committee on fishing industries.

Senate bill No. 83 coming on for second reading, Senator Bates moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Driver and Howe—2.

So the rules were suspended and the bill read second time by title only and referred to the committee on roads and highways.

Senate bill No. 84 coming on for second reading, Senator Cameron moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykenkall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Driver, Howe and Mulkey—3.

So the rules were suspended and the bill was read second time by title only and referred to the committee on agriculture.

Senate bill No. 85 coming on for second reading was read second time and referred to the committee on railroads.

Senate bill No. 86 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Driver, Howe and Mulkey—3.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Fulton, referred to the committee on judiciary.

Senate bill No. 87 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Driver, Howe and Mulkey—3.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Fulton, referred to the committee on judiciary.

Senate bill No. 88 coming on for second reading was read second time, and, on motion of Senator Fulton, referred to the committee on counties.

Senate bill No. 89 coming on for second reading was read second time, and, on motion of Senator Fulton, referred to the committee on fishing industries.

Senate bill No. 35 coming on for second reading, Senator Dufur moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Driver, Howe and Mulkey—3.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Dufur, referred to the committee on federal relations.

On motion of Senator Michell, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

FRIDAY, JANUARY 20, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 20, 1899. }

The senate was called to order at 9:30 o'clock a. m., by the president.

The roll was called, and all the senators were present except Senator driver, who was excused on account of sickness.

On motion of Senator Adams, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 170. Senator Porter (by unanimous consent). A bill for an act providing for the license of railroads, telegraph and sleeping cars.

Senator Porter moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Driver.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 10 was read third time.

On motion of Senator Mulkey, the bill was recommitted to the committee on judiciary with instructions to amend by stating on the face of the warrant that the warrants shall not draw a higher rate of interest than six per cent.

Senate bill No. 22 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Por-

ter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—Senator Harmon.

Absent—Senators Daly of Benton and Driver—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 171. Senator Harmon (by request, by unanimous consent). A bill for an act to better protect salmon in the waters of Curry county.

Senator Harmon moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Driver.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Fulton called up house bill No. 163.

The bill was read first time and passed to second reading without question.

Senator Fulton moved that the rules be suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Daly of Benton and Driver—2.

So the rules were suspended and the bill was read second time by title only, and, motion of Senator Looney, referred to a special committee, consisting of the senators from Marion county.

Senator Mulkey moved that when the senate adjourns it adjourns to convene at 2:30 o'clock p. m. Monday, January 23.

The motion prevailed.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

MONDAY, JANUARY 23, 1899.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 23, 1899. }

The senate was called to order at 2:30 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Haseltine, Dufur, Smith and Proebstel, who were excused on account of sickness.

The afternoon session of the senate was opened with prayer by Rev. H. L. Ketchum, D. D., of Salem, Oregon.

On motion of Senator Fulton, the reading of the journal of Friday's proceedings was dispensed with.

On motion of Senator Fulton, consideration of house bill No. 2, which was made a special order for today at 2 o'clock p. m., was continued until tomorrow at 10 o'clock a. m., and the same made a special order for that hour.

On motion of Senator Brownell, the courtesies of the senate were extended to Mrs. Abigail Scott Duniway and Dr. Annice Jeffreys, and they were invited to seats within the bar.

On motion of Senator Kelly, the courtesies of the senate were extended to Hon. A. J. Johnson, of Linn county, and he was invited to a seat within the bar.

Unanimous consent being given, Senator Daly of Benton presented the following communication:

COMMUNICATION.

The citizens of the town of Corvallis respectfully invite the members of the senate and house of representatives of the Oregon legislature, together with their wives and families, to visit their town on some day during the session. Transportation and refreshments will be furnished, and everything done to make the visit a pleasant one.

JOHN D. DALY.

On motion of Senator Daly of Benton, the invitation embodied in the communication was accepted.

Unanimous consent being given, Senator Daly of Benton introduced senate joint resolution No. 8.

SENATE JOINT RESOLUTION NO. 8.

Resolved by the senate, the house concurring, That a committee of two from the senate and three from the house be appointed to set a day not earlier than a week hence to visit the town of Corvallis, as per invitation received and accepted from that town.

On motion of Senator Daly of Benton, the resolution was adopted.

On motion of Senator Selling, the courtesies of the senate were extended to Hon. Jefferson Myers, and he was invited to a seat within the bar.

Unanimous consent being given, Senator Mulkey introduced senate petition No. 4.

SENATE PETITION NO. 4.

To the legislative assembly of the state of Oregon:

The undersigned members of the bar of Polk county, Oregon, being informed that a bill has been introduced in the state legislature, now pending before your body, to abolish department No. 2 of the third judicial district of said state, would respectfully ask you to vote against said bill, for the reasons following, to wit:

That the said third district contains over eighty-five thousand people, scattered through five different counties, and in no part of the state of Oregon are there as many people who have not more than two district judges.

Second — Because we believe that the legal business in the third judicial district of the state of Oregon is so great in amount that no one judge can properly do it and give it that attention and deliberation necessary in the proper conducting of legal proceedings.

Third — Because with two judges in the district, one to do the equity business as at present, terms of the equity court can be so continued without any additional cost to the taxpayers that partition suits and all other legal proceedings requiring the making of reports of referees, etc., can be speedily determined without waiting an additional six months for the calling of the other court to hear said reports.

(Signed by many citizens).

The petition was referred to the committee on judiciary.

Unanimous consent being given, Senator Haines introduced senate petition No. 5.

SENATE PETITION NO. 5.

To the legislative assembly of the state of Oregon:

We, the undersigned, respectfully petition your honorable body to amend title I, chapter LIV, miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, so that the same shall require the petitioner for a license to sell liquor in this state to obtain the signatures of an actual majority of the whole number of householders residing in the precinct in which he may wish to sell such liquor, instead of a majority of the legal voters in the precinct, as the law now requires.

(Signed by many citizens).

The petition was referred to the committee on education.

House bill No. 34 coming on for second reading was read second time and referred to the committee on judiciary.

Senator Brownell introduced senate petition No. 6.

SENATE PETITION NO. 6.

To the senate and house of representatives of the state of Oregon :

We, the undersigned, residents, taxpayers and householders along the line of what is known as the Mount Hood and Barlow road, would respectfully ask that you appoint three commissioners to negotiate and purchase the Mount Hood and Barlow road of the stockholders of said Mount Hood and Barlow Road Company and turn it over to the public as a free highway over the Cascade mountains.

(Signed by many citizens).

The petition was referred to the committee on roads and highways.

Senator Mulkey, chairman of the committee on assessment and taxation, submitted the following report :

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President :

January 23, 1899. }

Your committee on assessment and taxation, to whom was referred senate bill No. 76, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment :

AMENDMENT.

In line 2 of the title of the act, after the words "assessment roll" add "and to provide what shall constitute the summary of the assessment roll."

B. F. MULKEY,
Chairman.

On motion of Senator Mulkey, the amendment was adopted.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
SALEM, Oregon, }
January 23, 1899. }

To the honorable, the president of the senate :

I am directed by the governor to inform you that he has approved and signed the following bills: Senate bills Nos. 1 and 152.

WALTER LYON,
Private secretary.

Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899.)

Your committee on fishing industries, to whom was referred senate bill No. 82, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. REED,
Chairman.

On motion of Senator Reed, the bill was considered engrossed and passed to third reading.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel and Smith—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Mulkey, chairman of the senate committee appointed at the special session, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

October —, 1898.)

Your committee appointed under senate concurrent resolution No. 2, to examine the books and accounts of the secretary of state, beg leave to report that we met and, in accordance with the authority granted in said resolution, employed three competent experts and one clerk.

That said clerks have made a thorough examination of each voucher upon which warrants were issued during the years 1895 and 1896, and compared each voucher as to amount with the abstract of warrants and with the stubbooks of warrants issued; that they have carefully checked the abstract of warrants with the subfund book and ledger and declare to us that after making proper balances and proving the additions, they find the books in all things correct and the balances properly reported in the biennial report of the secretary of state for the term ending December 31, 1896;

that they have examined the vouchers on file and find each voucher properly sworn to and warrant receipted for, and that in all things they found the books correct and without an error; that during the years 1895 and 1896, 12,012 warrants were issued as shown by the stubbooks and abstract, showing a marked increase in the business of the office over that of the two years, as the number of warrants for the two years last named is shown to be 9,924.

We find the records in the secretary's office in first-class condition and correctly and skillfully kept, and his clerical force attentive, courteous and competent. The secretary of state has been very desirous of having a complete and thorough examination made of the books of his office, and the chief clerk, Mr. Frank K. Lovell, has cheerfully furnished all books and papers and assistance necessary to aid us in the work.

Respectfully submitted,

B. F. MULKEY,
Chairman.

By direction of the president, the report was placed on file.

Senator Haines, chairman of the special senate committee appointed at the special session, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 9, 1899. }

To the honorable senate and the house of representatives of the state of Oregon:

Whereas, at the special session of the legislature, the governor, in his message, referred the matter of the Loewenberg contract with the state relating to the manufacture of stoves at the penitentiary to the legislature; and

Whereas, under house concurrent resolution No. 8, a committee was appointed to investigate said contract, and to report to the legislature; and

Whereas, such committee was appointed and at the opening of this session, the committee reported to the legislature its findings of facts relating to this matter, also its recommendations; therefore, be it

Resolved by the senate, the house concurring, That the report of the committee be adopted, and that the state board of managers be, and it is hereby instructed to enter into an arrangement to adjust the contract between the state and the Loewenberg company, as directed in the report of said special committee.

Your committee appointed under house concurrent resolution No. 6, to investigate the Loewenberg contract, relating to the manufacture of stoves at the state penitentiary, beg leave to report as follows:

In the month of July, 1895, the state was in possession of the stove foundry plant at the penitentiary and a lot of partially completed stoves and raw material used in their manufacture. The state was manufacturing stoves and disposing of them, but the operation was unsatisfactory. Negotiations were then begun for a sale of the material and a lease of the plant, as well as the labor of a number of convicts. These negotiations finally culminated on July 29, 1895, in a written lease, by virtue of which the state leased to J. Loewenberg the labor of one hundred convicts for ten years at the rate of thirty-five cents per day, a further number of twenty-five to be added thereto every six months during the existence of the contract until as many convicts were employed as the capacity of the foundry and works would admit. It was also agreed that twenty-five convicts should be furnished for the care, custody and protection of the plant, to be detailed for that pur-

pose, subject to the ratification of the next legislature. This detail was made, as shown by the records, for the purpose of protecting the state's interest. On the same date a lease was made between the same parties by which the plant was leased for the same term at an annual rental of \$2,000. At the same time the state sold to J. Loewenberg, for the sum of \$28,941.04, all the stoves, stove fittings and material then on hand. Thereafter he paid on account of the purchase price \$4,447.51, leaving due on or about the first of September, 1895, \$24,493.53, for which the state took a note secured by chattel mortgage.

These contracts were entered into at a time when the business depression was at its height, and which continued for sometime thereafter. Under these contracts the Northwestern Stove Foundry undertook the manufacturing of stoves. The business had to start from the bottom, and it was found impossible to satisfactorily dispose of the product from the penitentiary through agents, experiencing in this respect the same difficulty the state had while it operated the plant. Large amounts of raw material were needed, necessitating large cash outlays. It was soon learned the number of convicts contracted for could not be profitably employed, and this, also the claim for the twenty-five convicts to look after the plant, was the first point of difference. The superintendent, as was his duty, charged up the full amount of convict labor which under the contract and lease the contractor should have taken, and also the twenty-five which should have been allowed, whether they were used or not. Again, on one occasion, for at least three months, practically all the skilled labor was used in state work, while other labor, unskilled, was tendered and charged to the contractor. The contractor claims that in equity: *First*, he should only be charged for labor actually used, insisting that no one could foresee the depression would be so long continued; *second*, that he should be allowed the twenty-five convicts agreed upon; *third*, that an allowance should be made for the time he was deprived of his skilled labor.

The contractor states that owing to the expense of maintenance of betterments, costs of raw material, and the depressed condition of the times, he was unable to make the payments as agreed. It is a fact he did not make the payments as agreed in his contract. The board insisted upon payments being made as stipulated in the contract, but the contractors failed to make them.

Finally, to aid in selling the product, a new corporation for that purpose was formed,—the Loewenberg and Going Company. A store was rented and put in order, traveling salesmen employed, and an entire plant for selling the goods established. This, the contractor insists, still further drew on his limited resources. And the contractor also insists that in order to meet competition with eastern manufacturers many changes had to be made in the manufacture of stoves, and it was, therefore, necessary to make many additions to the plant, which he did. And by reason of these betterments and additions the plant is now in far better order and more valuable than when the contractor took it.

Payments not having been made as agreed, the board again insisted upon some settlement and security. After some negotiations the amount then due on the purchase price of the plant, to wit, \$22,493.53 (\$2,000 additional having been paid), was divided into payments running from April 1, 1898, to January 1, 1899, and the same was secured by the guarantee of the Loewenberg and Going Company and Northwestern Stove Foundry, as well as by the individuals composing such corporations.

Five hundred dollars was paid on this agreement up to the time of the meeting of the special session of the legislature, when the matter was referred by the governor to this body for action.

Your committee, during the special session, had several meetings, and attempted to come to some conclusion and make a report at that time, but, owing to the short period of time, and the amount of details to be examined, it was found impossible to carefully examine into it at that time and

make a report before the adjournment of the session, and therefore the committee reported to the legislature that further time would be required, and the committee, by house concurrent resolution No.—, was granted until the meeting of the regular session within which to make its examination and present its report at the opening of the regular session, and was authorized to sit in the meantime.

Pending the examination of the committee, the committee deemed it advisable that the state's interests in the meantime should be protected, and, therefore, directed the board to employ counsel and to institute suit against the contracting parties and others interested or liable thereon. And on October 18, 1898, the board ordered action commenced against the interested parties for the amount claimed by the state. Actions were commenced by the state, as hereinafter set out, and all of the property of the defendants in such suit attached, the plant shut down and the stores seized by the sheriff.

The first action was against J. Loewenberg, J. M. Going, the Northwestern Stove Foundry, and the Loewenberg and Going Company, on amounts then due on the agreement above referred to, amounting to \$10,500.

The second action was against J. Loewenberg and the Northwestern Stove Foundry for convict labor as charged, amounting to \$35,268.02.

The third action was against J. Loewenberg and the Northwestern Stove Foundry for the amount claimed to be due on the lease of the plant, \$6,000.

Steps were immediately taken to arrive at some adjustment whereby the business could be preserved, the plant operated and the state's rights protected, and it was desired that the state might have the benefit of the custom of the contracting parties for the sale of the stoves pending the settlement of this affair; and, acting upon the advice and authority of the committee, an agreement was finally entered into, the effect of which was to make A. N. Gilbert (the superintendent of the penitentiary) trustee, and place him in possession of the property, he to operate the plant and sell to the best advantage the product pending the settlement to be effected not later than March 1, 1899. And in case no settlement was made at that time, the trustee was authorized to sell the property to satisfy the claim of the state, as more particularly appears by the stipulation entered into between the parties now of record in the actions in the court in which these proceedings were instituted.

Through unfortunate and unnecessary delays all the properties were not turned over to the trustee until about November 15; thus for nearly one month the hands of the contractor and the trustee in the sale of the goods were tied.

The state is not the only creditor. There are others who are as vitally interested as the state, and whose claims are based on money loaned or goods furnished, and it has been indicated to the committee by these unsecured creditors that they would not sit idly by and allow the debtors' property to be all used for the purpose of satisfying the state's debt without attempting to share in the proceeds themselves. And there is a serious question in the minds of the committee whether certain property held now in the proceedings heretofore referred to was covered by the agreement and mortgage given to secure the payments. If it should be determined that it was not, the state could only share *pro rata* with other creditors in the proceeds received from the sale of such property. The committee is assured by these creditors if a settlement can be effected, they will wait until the state gets its money, but if no settlement is made, they would institute proceedings and insist under the law they would be entitled to the same protection as the state to the property not secured to the state that the state is now attempting to hold.

This is a history of the transaction to this time. The state has no claim for money advanced. It would have been necessary to employ the convicts whether there had existed any contract or not. The plant is now in a better condition than it would have been had not the contract been let. The contractor has paid the state in cash \$6,947.51. The assets of the defendant,

now held by the state through its trustee, consist of material manufactured and unmanufactured at the penitentiary amounting to the face value of about \$34,456.32. Of this amount \$19,000 is castings, estimated at three cents per pound. So far as the state is concerned, unless the plant is operated and these various castings put to the uses they are fitted and intended for, their value would only be one-half cent per pound. In addition is the stock, book accounts and cash at Portland, amounting in all to about \$29,909.28. This is stock at cost and the accounts at face, making no allowance for depreciation.

From this there must be taken the salary of the trustee, expenses necessary to be advanced, new goods purchased, and expenses of the trustee, the exact amount of which cannot now be stated. While most of these costs and expenses would necessarily have to be defrayed by the defendant, nevertheless if the property was forced to a sale the expenses would have to be satisfied as well as the state's claim out of the proceeds arising from such sale, as the defendants have no other property subject or liable to execution than that which the state now holds.

The claim of the state is as follows :

On purchase price	\$21,993 53
On labor as charged	35,268 02
On rent of plant	6,000 00
	<hr/>
	\$63,261 55

The contractor's claims for allowances have hereinbefore been referred to.

After a very careful and painstaking examination into the condition of this affair, the committee has come to the conclusion that this is a case essentially for settlement. Under any circumstances, if no satisfactory settlement is made with the board, the state will not be the loser, for it can then enforce its obligation as set out in the stipulation appointing the trustee hereinbefore referred to.

An allowance should be made on the convict labor and rent of plant. The contractor should be treated fairly by the state on the labor, and he should not be charged for any more labor than he actually employed. The stipulation in the lease for the rent of the plant was based upon the theory of running full handed on full time, which was found impossible owing to conditions none could foresee or control. Some allowance should be made therefor.

The actual amount of convict labor used, representing on an average of one hundred convicts per day, was \$20,901.95. Of these the contractor was to be furnished twenty-five to look after the plant, leaving actually due for labor used, and which should have been paid for, \$15,676.47. This, with the balance of the material purchased, would make \$37,669 due.

Just what would be fair under the lease of the plant is difficult to determine. From the best information and figures the committee can obtain, it learns if the state undertakes to realize on the assets (admitting for the sake of argument the state would be entitled to the sale of all the property, and that no creditor could interfere therewith) not more than \$20,000 to \$25,000, less the expenses, could be obtained.

On the other hand, if the plant is continued in operation, the goods would be sold to the trade in the usual way and both the state and the contractor would be thereby benefited.

In view, therefore, of the fact that the state has already received \$6,947.50 in cash, and would probably not net more than \$20,000 to \$25,000 of the security, if it all could be sold to satisfy the state's debt (which is questionable), we have concluded to direct the board to accept, if paid in cash or its equivalent before March 1, 1899, the sum of \$32,500 in full payment of all claims against the contractor up to and including January 1, 1899.

E. W. HAINES,
Chairman.

Senator Haines moved the adoption of the report.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson and Reed—21.

Nays—Senators Brownell, Selling, Wade and Mr. President—4.

Absent—Senators Dufur, Haseltine, Proebstel and Smith—4.

Not voting—Senator Porter.

So the report was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 23, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house joint memorial No. 2.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 20, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bill No. 169.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house joint memorial No. 2 and house bill No. 169, and soon thereafter stated that he had signed the same.

Unanimous consent being given, Senator Fulton introduced senate resolution No. 13.

SENATE RESOLUTION NO. 13.

Resolved, That the secretary of state be and he is hereby requested to deliver to the president of the senate, senate joint resolution No. 7 of the eighteenth biennial session of the legislative assembly of the state of Oregon, which was duly passed by both houses at said session and was duly enrolled and signed by the president of the senate and the speaker of the house.

On motion of Senator Fulton, the resolution was adopted.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899.)

Your committee on judiciary, to whom was referred senate bill No. 46, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

In line 5 of section 4, printed bill, after the word "purchaser" insert the words "as in this act provided."

AMENDMENT.

Add to section 5 the following:

"*Provided*, the person or persons owning at the time of such tax sale the legal title to such lands as may have been heretofore sold and purchased by such county or school district shall have the exclusive right during the ninety days next after this act shall take effect, to buy the same from such county or district for such a price as will equal the amount of all taxes, interest and penalties for which such land was sold, together with interest thereon at ten per cent. per annum from the date of such sale, and upon the tender to such sheriff or clerk within said ninety days of such sums by such former owner, such sheriff or clerk shall deliver to such former owner a deed for such lands, as in this act provided."

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendments were adopted.

On motion of Senator Harmon, the bill was recommitted to the committee on judiciary.

Senate bill No. 172. Senator Selling (on behalf of Senator Proebstel). A bill for an act to make it unlawful to establish factories for the manufacture of cigarettes.

The bill was read first time and passed to second reading without question.

Senate bill No. 173. Senator Patterson. A bill for an act to regulate the purchase, sale and transfer of stocks of goods, wares and merchandise in bulk.

Senator Patterson moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Jo-

sephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel and Smith—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 7 coming on for second reading, Senator Selling moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel and Smith—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on municipal corporations.

Senate bill No. 91 coming on for second reading, Senator Patterson moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykenkall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel and Smith—4.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Patterson, referred to a special committee, consisting of the senators from Washington county.

Senate bill No. 92 coming on for second reading, Senator Josephi moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow,

Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel and Smith—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on medicine, pharmacy and dentistry.

Senate bill No. 93 coming on for second reading, Senator Looney moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel and Smith—4.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Looney, referred to the committee on roads and highways.

Senate bill No. 94 coming on for second reading, Senator Looney moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel and Smith—4.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Looney, referred to the committee on judiciary.

Senate bill No. 95 coming on for second reading, on motion of Senator Looney, was indefinitely postponed.

Senate bill No. 96 coming on for second reading was read second time and referred to the committee on judiciary.

Senate bill No. 97 coming on for second reading, Senator Mulkey moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel and Smith—4.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Mulkey, referred to the committee on revision of laws.

Senate bill No. 98 coming on for second reading was read second time and referred to the committee on roads and highways.

Senate bill No. 99 coming on for second reading, Senator Reed moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel and Smith—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on counties.

Senate bill No. 101 coming on for second reading, Senator Haines moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel and Smith—4.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Haines, referred to a special committee, consisting of the senators from Washington county.

Senate bill No. 102 coming on for second reading, Senator Kuykendall moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi,

Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel and Smith—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on railroads.

Senate bill No. 103 coming on for second reading, was read second time, and, on motion of Senator Michell, referred to the committee on printing.

Senate bill No. 104 coming on for second reading, Senator Josephi moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel and Smith—4.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Josephi, referred to the committee on municipal corporations.

Senate bill No. 106 coming on for second reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel and Smith—4.

So the rules were suspended and the bill was read second time by title only.

Senator Daly of Benton moved that the rules be further suspended and that the bill be considered, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Wade and Mr. President—25.

Nays—Senator Selling.

Absent—Senators Dufur, Haseltine, Proebstel and Smith — 4.
So the rules were suspended and the bill considered engrossed,
read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called
and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Ben-
ton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe,
Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow,
Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. Presi-
dent — 26.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel and Smith — 4.

So the bill passed.

There being no objection, the title of the bill was ordered to
stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 20, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house
has passed house bill No. 130, a bill for an act providing for col-
lecting money due the state by the attorney-general.

And the same is herewith transmitted to you for the considera-
tion of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 20, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed
house joint memorial No. 3.

And the same is herewith transmitted to you for your signa-
ture.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 20, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house
has passed house bill No. 125, a bill for an act to provide for let-

ting the contract for boarding the prisoners in Washington county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house joint memorial No. 3, and soon thereafter stated that he had signed the same.

Senate bill No. 107 coming on for second reading was read second time and referred to the committee on fishing industries.

Senate bill No. 108 coming on for second reading, Senator Kuykendall moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel and Smith—4.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Kuykendall, referred to the committee on judiciary.

Senate bill No. 109 coming on for second reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel and Smith—4.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Daly of Lake, referred to the committee on public lands.

Senate bill No. 111 coming on for second reading was read second time and referred to the committee on judiciary.

The president called Senator Fulton to the chair.

Senate bill No. 112 coming on for second reading was read second time and referred to the committee on judiciary.

Senate bill No. 113 coming on for second reading, Senator Kuy-

kendall moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling and Wade—25.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel, Smith and Mr. President—5.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Kuykendall, referred to the committee on judiciary.

Senate bill No. 114 coming on for second reading, Senator Reed moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling and Wade—25.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel, Smith and Mr. President—5.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Michell, referred to the committee on judiciary.

Senate bill No. 115 coming on for second reading, Senator Michell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling and Wade—25.

Nays—None.

Absent—Senators Dufur, Haseltine, Proebstel, Smith and Mr. President—5.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Michell, referred to the committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 23, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bill No. 125.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 23, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bill No. 159.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
 Chief clerk.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER, }
 SALEM, Oregon, }
 January 23, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 9, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
 Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER, }
 SALEM, Oregon, }
 January 23, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 5, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
 Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899.

Your committee on engrossed bills, to whom was referred senate bill No. 50, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899.

Your committee on engrossed bills, to whom was referred senate bill No. 54, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899.

Your committee on engrossed bills, to whom was referred senate bill No. 26, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899.

Your committee on enrolled bills, to whom was referred senate bill No. 100, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899.

Your committee on enrolled bills, to whom was referred senate bill No. 125, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899.

Your committee on enrolled bills, to whom was referred senate bill No. 159, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

Unanimous consent being given, Senator Brownell introduced senate joint memorial No. 1.

SENATE JOINT MEMORIAL NO. 1.

To the honorable, the supreme court of the United States, and to the honorable attorney-general:

Your memorialist, the legislative assembly of the state of Oregon, most respectfully represents that:

Whereas, by an act of congress, approved September 29, 1890, the lands embraced in the Northern Pacific railroad grant from Wallula, Washington, to Portland, Oregon, were declared forfeited; and

Whereas, the secretary of the interior, construing said act, held that lands within the forty-mile limits of the route of said road, as located upon the north bank of the Columbia river, were of the forfeited lands within the purview of said act, and over two hundred thousand acres of said lands had previously been certified to the Oregon and California Railroad Company as a part of its grant, and a suit to set aside said certification was duly instituted and is now pending for final determination before the supreme court of the United States; and

Whereas, by reason of the premises the title to over two hundred thousand acres of land of the grant in place, and more than three hundred thousand acres within the indemnity limits of said Oregon and California Railroad Company, is unsettled; and

Whereas, a large part of these lands have been sold to *bona fide* purchasers upon which to establish homes; and

Whereas, since 1891 said lands have been withdrawn from sale, and long prior thereto by the government from disposition under the settlement laws; and

Whereas, this large body of land, situated within the most desirable and most densely populated portion of the state, is withheld from taxation and

settlement, and the state thereby deprived of large revenue, and its citizens of homes, and said purchasers having had such a cloud thrown over their title as to involve them in much costly litigation, and have been deprived of their resources for a long period, causing many to lose their dearly-earned homes; now, therefore, be it

Resolved, That we most respectfully request that said suit be advanced upon the calendar and a final determination thereof be had, and your memorialist will ever pray.

The question being, "Shall senate joint memorial No. 1 be adopted?" the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling and Wade — 25.

Nays — None.

Absent — Senators Dufur, Haseltine, Proebstel, Smith and Mr. President — 5.

So the memorial was adopted.

On motion of Senator Reed, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

TUESDAY, JANUARY 24, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 24, 1899. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senators Dufur and Proebstel, who were excused on account of illness.

The morning session was opened with prayer by Rev. Ronald McKillop of Salem, Oregon.

On motion of Senator Michell, the reading of the journal of yesterday's proceedings was dispensed with.

On motion of Senator Brownell, the courtesies of the senate were extended to Hon. W. D. Fenton, and he was invited to a seat within the bar.

On motion of Senator Fulton, the vote whereby the report of Senator Haines, chairman of the special senate committee appointed at the special session to which was referred the matter of the Loewenberg contract was adopted, was reconsidered.

On motion of Senator Fulton, the report was laid on the table.

On motion of Senator Michell, the courtesies of the senate were extended to Hon. A. A. Jayne, and he was invited to a seat within the bar.

The report of the committee on judiciary on house bill No. 2 being made a special order for today, the same was taken up.

Senator Fulton moved that the report of the committee on judiciary on house bill No. 2 be adopted.

Senator Fulton moved to amend the report by substituting senate bill No. 174 for house bill No. 2, a bill for an act providing for clerical aid for justices of supreme court.

On motion of Senator Fulton, the amendment was adopted.

On motion of Senator Selling, the report as amended was adopted.

On motion of Senator Haines, the courtesies of the senate were extended to Hon. S. B. Houston, and he was invited to a seat within the bar.

Senator Fulton moved that the rules be suspended and that senate bill No. 174, substitute for house bill No. 2, be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Fulton moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only.

Senator Fulton moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Smith, Wade and Mr. President—27.

Nays—Senator Selling.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe,

Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Reed, Selling, Smith and Mr. President—25.

Nays—Senators Clem, Mulkey and Wado—3.

Absent—Senators Dufur and Proebstel—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The president announced that he was about to sign senate bills Nos. 125 and 159, and soon thereafter stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 23, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bill No. 100.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Brownell, the courtesies of the senate were extended to Hon. A. M. Crawford, of Roseburg, and he was invited to a seat within the bar.

The president announced that he was about to sign senate bill No. 100, and soon thereafter stated that he had signed the same.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER, }
SALEM, Oregon, }
January 17, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 6, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Section 19. All electors residing in the town or incorporated city which is the county seat, and where the county clerk or the clerk of the county court has his office, shall personally appear in the clerk's office and comply with the provisions of this act in order to register. The board of county commissioners shall furnish the county clerk or clerk of the county court all necessary assistance to enable him to carry out the provisions of this act.

Section 20. It shall be the duty of each clerk or elector present to challenge any person offering to register whom he shall know or suspect not to

be qualified as an elector. If the person so challenged shall refuse to answer fully any questions touching his qualifications as an elector which shall be put to him by the registering officer the registering officer shall refuse to register him. The qualifications of the applicant as an elector shall be determined in the first instance by the registering officer, from the evidence produced before him, and if he finds the applicant disqualified to vote at the next election he shall reject the application, but if he finds him qualified he shall register him. If rejected, the name and place of alleged residence of each applicant for registration and the date when rejected shall be entered in a separate list for each precinct, kept by the registering officer.

C. W. FULTON,
Chairman.

Senator Fulton moved the adoption of the amendment.

Senator Brownell moved the adoption of the following amendment:

AMENDMENT.

Section 21. At all state elections next preceding the election of the United States senator by the legislature of Oregon, there shall be placed upon the official ballot the names of the candidates of all political parties represented thereon, for the office of United States senator; the votes for which candidates shall be counted and certified to by the election judges in the same manner as the vote for other candidates; and duplicate records of the votes for such candidates shall be made out and sworn to by the board of canvassers of each county of the state, one of which shall be addressed to the senate, and the other to the house of representatives, of the state of Oregon, and they shall be sent to the secretary of state by such board, one copy of which shall be delivered by him to the president of the senate, and the other to the speaker of the house, immediately after the organization of such bodies, which officers shall open and lay the same before the respective houses, when assembled to elect a United States senator, and it shall be the duty of each house to ascertain the candidate for senator having the highest number of votes, and each member of each house thereupon shall cast his vote for such candidate.

On motion of Senator Harmon, the bill was ordered reprinted together with the amendments, and made a special order for Thursday at 2 o'clock p. m.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 20, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899. }

Your committee on judiciary, to whom was rereferred senate bill No. 46, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment :

AMENDMENT.

Strike out of the title of said bill the words "and empower."

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendment was adopted.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 65, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

C. W. FULTON,
Chairman.

On motion of Senator Kuykendall, senate bill No. 65 was re-referred to a special committee, consisting of the senators from the second judicial district.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 53, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President :

January 23, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 10, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments :

AMENDMENT.

In line 4 of printed bill strike out the word "that" and insert in lieu thereof the word "than."

AMENDMENT.

Add to section 2 the following : "The warrants issued under this act shall have printed or stamped on their face the words 'funding warrant,' and shall specify the rate of interest to be paid, which shall be the rate contracted to be paid, and may be any rate not exceeding six per centum per annum. Said warrants shall be paid as other county warrants, in the order of presentation."

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendments were adopted. Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President :

January 23, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 111, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President :

January 23, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 112, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899. }

Your committee on judiciary, to whom was rereferred senate bill No. 46, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment :

AMENDMENT.

Strike out of the title of said bill the words "and empower."

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendment was adopted.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 65, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

C. W. FULTON,
Chairman.

On motion of Senator Kuykendall, senate bill No. 65 was re-referred to a special committee, consisting of the senators from the second judicial district.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 53, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 10, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

In line 4 of printed bill strike out the word "that" and insert in lieu thereof the word "than."

AMENDMENT.

Add to section 2 the following: "The warrants issued under this act shall have printed or stamped on their face the words 'funding warrant,' and shall specify the rate of interest to be paid, which shall be the rate contracted to be paid, and may be any rate not exceeding six per centum per annum. Said warrants shall be paid as other county warrants, in the order of presentation."

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendments were adopted. Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 111, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 112, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 23, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 27, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 23, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred senate joint resolution No. 7, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be not adopted, for the reason that the objects of this resolution are attained by house joint resolution No. 3.

C. W. FULTON.
Chairman.

On motion of Senator Fulton, the report was adopted.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 23, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred house joint resolution No. 3, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be adopted with the following amendments:

AMENDMENT.

In line 2 strike out the word "amendments" and insert in lieu thereof the word "amendment," and in the same line strike out the word "are" and insert in lieu thereof the word "is." In line 3 strike out the words "section 19 shall be amended as follows," and insert in lieu thereof the following words: "That to article V there shall be added section 19 as follows."

AMENDMENT.

In line 4 strike out the words "article V."

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the report was adopted.

The question being, "Shall house joint resolution No. 3 be adopted?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Dufur, Mulkey and Proebstel—3.

So the resolution was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 23, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 5, a bill for an act amending section 149, repealing section 151, of Hill's code of Oregon, relating to the attachment of real and personal property.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 23, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 7, a bill for an act providing for the dissolution of municipal corporations.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 23, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 26, a bill for an act relating to the opening of doors to public buildings.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 24, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 21, a bill for an act to cure defects in deeds heretofore made to real property, etc., and to cure defects in judicial sales.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER, }
 SALEM, Oregon, }
 January 23, 1899. }

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 141, beg leave to report that we have had the same under consideration, and that by reason of the illness of one member of the committee the same was considered by four members thereof, which said four members were unable to agree upon any recommendation concerning the passage of said bill but were equally divided upon that question, and therefore report said bill without recommendation upon the passage thereof, but your committee recommend that the same be printed.

PERCY R. KELLY,
 Chairman.

On motion of Senator Kelly, the report was adopted.

Unanimous consent being given, Senator Bates, chairman of the committee on roads and highways, submitted the following report:

- REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 24, 1899. }

Your special committee on on roads and highways, to whom was referred senate bill No. 73, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

In line 3 of printed bill after the word "courts" insert the words "in counties in this state having a population of less than fifty thousand."

GEORGE W. BATES,
Chairman.

On motion of Senator Bates, the amendment was adopted.

On motion of Senator Michell, the vote adopting the amendment was reconsidered.

Senator Clem moved that senate bill No. 73 be recommitted to committee on roads and highways.

The motion was lost.

On motion of Senator Bates, the amendment was adopted.

Unanimous consent being given, Senator Daly of Lake, chairman of the committee on medicine, pharmacy and dentistry, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 24, 1899. }

Your committee on medicine, pharmacy and dentistry, to whom was referred senate bill No. 92, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. DALY,
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,

Mr. President:

January 24, 1899. }

I am directed by the speaker to inform you that the house has passed house bill No. 48, a bill for an act to abolish the use of private seals.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Looney, chairman of the committee on agriculture, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
January 24, 1899. }

Mr. President:

Your committee on agriculture, to whom was referred senate bill No. 45, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

N. H. LOONEY,
Chairman.

Unanimous consent being given, Senator Looney, chairman of the committee on agriculture, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
January 24, 1899. }

Mr. President:

Your committee on agriculture, to whom was referred senate bill No. 84, beg leave to report that we have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

N. H. LOONEY,
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 24, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 67, a bill for an act to make valid and legal certain marriages.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senator Mulkey, chairman of the committee on assessment and taxation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
January 23, 1899. }

Mr. President:

Your committee on assessment and taxation, to whom was referred senate

bill No. 48, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

B. F. MULKEY,
Chairman.

Unanimous consent being given, Senator Mulkey, chairman of the committee on assessment and taxation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 23, 1899.)

Your committee on assessment and taxation, to whom was referred senate bill No. 71, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. F. MULKEY,
Chairman.

Senate bill No. 116 coming on for second reading, Senator Morrow moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Dufur and Proebstel — 2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on municipal corporations.

Senate bill No. 117 coming on for second reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Dufur and Proebstel — 2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on irrigation.

Senate bill No. 118 coming on for second reading, Senator Mackay moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykenkall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senate bill No. 119 coming on for second reading, Senator Patterson moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Patterson, referred to the committee on revision of laws.

Senate bill No. 120 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senate bill No. 121 coming on for second reading, Senator Kelly moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on assessment and taxation.

Senate bill No. 122 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill read second time by title only, and, on motion of Senator Fulton, referred to the committee on judiciary.

Senate bill No. 123 coming on for second reading, Senator Fulton moved that the rules be suspended and the bill read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Fulton, referred to the committee on judiciary.

Senator Mulkey moved the adoption of the resolution.

Senator Fulton moved to amend by striking out twenty-fifth day and inserting thirtieth day.

Senator Mulkey moved to amend the amendment by striking out thirtieth day and insert fortieth day.

The amendment to the amendment was accepted.

The question being, shall the senate adopt the resolution as amended, the senate refused to adopt the resolution.

Senate bill No. 131 coming on for second reading, Senator Mulkey moved that the rules be suspended and the bill read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senate bill No. 132 coming on for second reading, Senator Michell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senate bill No. 134 coming on for second reading, Senator Michell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Michell referred to the committee on judiciary.

Senate bill No. 175. Senator Bates (by unanimous consent). A bill for an act to authorize and direct the county court of Multnomah county to lease the upper deck of the O. R. & N. bridge.

Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur, and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Bates moved that the rules be further suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Bates, referred to a special committee, consisting of the senators from Multnomah county.

On motion of Senator Fulton the courtesies of the senate were extended to Hon. L. B. Cox and Hon. John Gurdane, and they invited to seats within the bar.

Senate bill No. 176. Senator Mackay (by unanimous consent). A bill for an act to cure defects in published notices required by law.

Senator Mackay moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 177. Senator Kelly (by unanimous consent). A bill for an act to amend the charter of the city of Brownsville.

Senator Kelly moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Kelly moved that the rules be further suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on municipal corporations.

Senate bill No. 178. Senator Fulton (by unanimous consent). A bill for an act providing for the sale of supreme court reports and the printing of session laws.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

On motion of Senator Harmon, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 24, 1899. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Dufur and Proebstel.

Senate bill No. 135 coming on for second reading, Senator Wade moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on medicine, pharmacy and dentistry.

Senate bill No. 136 coming on for second reading, was read second time and referred to the committee on claims.

Senate bill No. 137 coming on for second reading, Senator Wade moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine,

Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on railroads.

Senate bill No. 138 coming on for second reading, Senator Howe moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

The bill was referred to the committee on judiciary.

On motion of Senator Fulton the vote whereby the senate adopted the report of the committee on judiciary upon house joint resolution No. 3, was reconsidered.

On motion of Senator Fulton the vote whereby the senate adopted the report of the committee on judiciary on senate joint resolution No. 7, was reconsidered.

On motion of Senator Fulton house joint resolution No. 3 and senate joint resolution No. 7 were re-referred to the committee on judiciary.

On motion of Senator Looney the courtesies of the senate were extended to Hon. W. W. Steiwer and he was invited to a seat within the bar.

Senate bill No. 139 coming on for second reading, Senator Wade moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade, and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senate bill No. 140 coming on for second reading, Senator Haines moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on banking and insurance.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 24, 1899.

Mr. President:

I am directed by the speaker to inform you that he has appointed as members of the committee on the part of the house, under house concurrent resolution No. 5, Messrs. Hall, Donnelly and Wilson.

And the same is herewith transmitted to you for the information of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 24, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 110, appropriating \$25,000 for propagation of salmon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 24, 1899.

Mr. President:

I am directed by the speaker to inform you that the house

has passed house bill No. 68, to amend section 40 (39) Hill's Code, "in relation to the recovery of specific personal property."

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 142 coming on for second reading, Senator Michell moved that the rules be suspended and the bill read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill read second time by title only, and, on motion of Senator Michell, referred to the committee on judiciary.

Senate bill No. 143 coming on for second reading, Senator Josephi moved that the rules be suspended and the bill read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on assessment and taxation.

Senate bill No. 144 coming on for second reading, Senator Selling moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykenkall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Selling, referred to a special committee, consisting of the senators from Multnomah county.

Senate bill No. 145 coming on for second reading was read second time and referred to the committee on judiciary.

Senate bill No. 146 coming on for second reading, Senator Michell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on counties.

Senate bill No. 147 coming on for second reading was read second time and referred to the committee on counties.

Senate bill No. 148 coming on for second reading, Senator Brownell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on railroads.

Senate bill No. 149 coming on for second reading, Senator Brownell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine,

Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senator Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senate bill No. 150 coming on for second reading, Senator Mulkey moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on assessment and taxation.

Senate bill No. 151 coming on for second reading, Senator Smith moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 24, 1899.

Your committee on judiciary, to whom was referred senate bill No. 86, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

In line 13 of section 3, strike out the words "four months" and insert in lieu thereof the words "ten days".

AMENDMENT.

In line 3, section 3, strike out the words and figures "four dollars (\$4.00)" and insert in lieu thereof the words and figures "five dollars (\$5.00)".

C. W. FULTON,
Chairman.

Senator Fulton moved that the report be adopted.

On motion of Senator Mulkey, senate bill No. 86 was recommitted to the committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 24, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 19, a bill for an act to regulate the doing of public works.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 24, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 71, a bill for an act to punish the poisoning of domestic animals.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 24, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 55, a bill for an act to regulate the purchase of supplies for the public.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Kelly, chairman of committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 24, 1899.)

Your committee on revision of laws, to whom was referred senate bill No. 8, beg leave to report that we have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

PERCY R. KELLY,
Chairman.

Unanimous consent being given, Senator Kelly, chairman of committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 24, 1899.)

Your committee on revision of laws, to whom was referred senate bill No. 30, beg leave to report that we have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Insert after the words "price, fitness and quality," in line 5 of section 1, "at point of delivery".

PERCY R. KELLY.
Chairman.

On motion of Senator Kelly the amendment was adopted.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 24, 1899.)

Your committee on revision of laws, to whom was referred senate bill No. 49, beg leave to report that we have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Insert after the word "grantors," in line 3 of section 1, the following:
 "or his or their duly constituted attorney in fact."

PERCY R. KELLY,
 Chairman.

On motion of Senator Kelly, the amendment was adopted.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
 SALEM, Oregon,
 January 24, 1899. }

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 58, beg leave to report that we have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

PERCY R. KELLY,
 Chairman.

Senator Looney introduced senate joint resolution No. 9.

SENATE JOINT RESOLUTION NO. 9.

Whereas, the State of Oregon is now the owner of a certain piece of realty situated on the east side of Twelfth street between State and Ferry streets, more particularly described and designated as lots five (5), six (6) and seven (7) of block No. twenty-nine (29) of the University addition to the city of Salem, Marion county, Oregon, which property since its occupancy by the blind school several years since has been of no direct benefit to the state, and is now occupied and used as the Salem Hospital, a duly incorporated institution under the direct supervision and management of a board of control representing, in a non-sectarian manner, the leading educational, religious and commercial interests of the state capital; and,

Whereas, the State of Oregon is likewise the owner of the premises now occupied by the Oregon Institute for the Blind, situated in University addition to the city of Salem, which grounds are inadequate for the use and convenience of this most important branch of the state institutions, being of too limited extent to meet the growing demand of the school, creating an urgent necessity for their immediate enlargement; and,

Whereas, further, with a commendable desire to advance the efficiency and to further the usefulness of the Salem Hospital, and to enable it to carry out its plans of permanent growth, Hon. John H. Albert, a resident of Salem, has offered to exchange a block of land now owned by him, adjacent to and adjoining the realty now owned by the state and occupied by the Oregon Institute for the Blind, on the east thereof, together with his half of the intervening street, for the property now owned by the state on Twelfth street and at present occupied by the Salem Hospital; and he further offers and agrees that upon the exchange of the deeds to the realty, as set forth herein, to donate and convey all his right, title and interest to the property now occupied by the Salem Hospital as a freewill gift and offering to the Salem Hospital so long as the same may be used or occupied for hospital purposes under the supervision and management of a board of control,

as now provided for in the articles of incorporation of the board of control of the Salem Hospital, the right, however, being reserved by the donor that should an effort be made by the board of control of the Salem Hospital, or their successors in office, to divert the property to uses or purposes other than those of a hospital character the ownership of the same shall at once revert to the aforesaid donor or his legal heirs. Therefore be it

Resolved by the senate, the house concurring, That the members of the state board of education are hereby authorized and directed to execute a warranty deed on behalf of and in the name of the state of Oregon, of lots five, six and seven, block twenty-nine, University addition to the city of Salem, Oregon, to the aforesaid John H. Albert upon the execution and delivery by him of a warranty deed conveying to the state of Oregon all of block No. 23, University addition to the city of Salem, Oregon, together with the easterly one-half of that portion of Cottage street lying west of said block No. 23 and adjoining the property now owned by the state and occupied by the Oregon Institute for the Blind.

Ordered printed.

Unanimous consent being given, Senator Daly of Lake, chairman of the committee on medicine, pharmacy and dentistry, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 24, 1899.)

Your committee on medicine, pharmacy and dentistry, to whom was referred senate bill No. 69, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments to the printed bill:

AMENDMENT.

After the word "state," in line 17 of section 2, add the words "provided; that if the value of said estate does not exceed the sum of five hundred dollars, or if said insane person has dependent relations for the support of whom his estate is barely adequate, then such person shall not be required to pay any sum for his support at the asylum."

AMENDMENT.

In section 5, lines 6 and 7, strike out the words "to be applied to the payment of expenses of such person while in the asylum but." In line 7, section 5, strike out the word "recovery" and insert in lieu thereof the word "discharge." In line 8, section 5, strike out the words "after deducting such expenses," and in line 9, strike out the words "when discharged from the asylum," and insert in lieu thereof the words "or to his legal representatives in case of his death."

AMENDMENT.

In section 8, line 10, after the word "judge," insert the words "where the county seat is within fifty miles of any railroad," and in line 16, sec-

tion 8, after the word "thereto" add "provided; that in all cases where the patient committed is a female, there shall be at least one female conveying attendant."

AMENDMENT.

In section 9, line 4, after the word "judge," add the words "provided; that in such case the commitment paper shall be accompanied by a proper certificate of the sheriff certifying that the acting justice was authorized to commit under the provisions of this act."

B. DALY,
Chairman.

On motion of Senator Daly of Lake, the amendments were adopted.

Unanimous consent being given, Senator Daly of Lake, chairman of the committee on medicine, pharmacy and dentistry, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 24, 1899.)

Your committee on medicine, pharmacy and dentistry, to whom was referred house bill No. 40, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

B. DALY,
Chairman.

Unanimous consent being given, Senator Kuykendall, chairman of the committee on education, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 24, 1899.)

Your committee on education, to whom was referred senate bill No. 81, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In section 1, line 2, insert the word "provided" after the word "authorities."

AMENDMENT.

In section 1, line 4, strike out the word "etc.," and substitute therefor the words "and church services."

W. KUYKENDALL,
Chairman.

On motion of Senator Kuykendall, the amendments were adopted.

Senate bill No. 179. Senator Harmon (by unanimous consent). A bill for an act to provide for a railroad commission, with power to fix and regulate the compensation of a common carrier, provide for his compensation and appointment.

Senator Harmon moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 5 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Morrow, Mulkey, Patterson, Porter, Selling, Smith, and Wade—24.

Nays—Senators Daly of Benton, Michell and Mr. President—3.

Absent—Senators Dufur, Proebstel and Reed—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 180. Senator Michell (by request, by unanimous consent). A bill for an act for the enforcement of payment of county warrants.

Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Dufur, Proebstel and Reed—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 9 was read third time.

On motion of Senator Mackay, the courtesies of the senate were extended to Hon. H. H. Northup, and he was invited to a seat within the bar.

Senator Selling demanded a call of the senate.

The roll being called the following senators were noted absent:

Senators Harmon, Mackay, Fulton, Dufur and Proebstel.

Here Senators Mackay and Fulton were noted present.

On motion of Senator Brownell, further proceedings under the call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Haines, Haseltine, Howe, Josephi, Kelly, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Selling, Smith, Wade and Mr. President—21.

Nays—Senators Clem, Driver, Fulton, Kuykendall, Looney and Reed—6.

Absent—Senators Dufur, Harmon and Proebstel—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 24, 1899.)

Your committee on engrossed bills, to whom was referred senate bill No. 105, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 24, 1899.)

Your committee on engrossed bills, to whom was referred senate bill No.

160, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
January 24, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 20, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
January 24, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 112, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
January 24, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 71, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly, of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
January 24, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No.

111, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 24, 1899. }

Mr. President :

Your committee on engrossed bills, to whom was referred senate bill No. 48, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 24, 1899. }

Mr. President :

Your committee on engrossed bills, to whom was referred senate bill No. 34, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 24, 1899. }

Mr. President :

Your committee on engrossed bills, to whom was referred senate bill No. 76, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 24, 1899. }

Mr. President :

Your committee on engrossed bills, to whom was referred senate bill No.

133, beg leave to report the same back to the senate as correctly engrossed

JOHN D. DALY,
Chairman.

On motion of Senator Bates, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

WEDNESDAY, JANUARY, 25 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 25, 1899. }

The senate was called to order at 10 o'clock a. m., by the president.

The roll was called, and all the senators were present except Senators Dufur, Proebstel and Morrow, who were excused on account of illness.

The morning session of the senate was opened with prayer by Rev. Mr. Pratt, of Salem.

On motion of Senator Haines, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 105 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Dufur, Daly of Lake, Howe, Morrow and Proebstel—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 26 was read third time.

Emergency clause amended by unanimous consent.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Howe, Morrow and Proebstel—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 34 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Dufur, Howe, Morrow and Proebstel—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 50 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Dufur, Morrow and Proebstel—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senators Kelly and Daly of Benton, appointed by the president on the part of the senate as members of the joint committee to visit the orphans' home at Albany, Oregon, were excused until 1 o'clock tomorrow, to visit that institution.

The president submitted to the senate the following communication:

COMMUNICATION.

To the legislative assembly of the state of Oregon:

GENTLEMEN:—Permit me to make my grateful acknowledgments to you for your action in furnishing me with a number of copies of the "Early Indian Wars of Oregon," for distribution to literary and historical institutions and personages. By this means I hope to add something to the fame of the state of which I have always been an ardent admirer and friend, as well as adopted citizen. As long as I am able to wield a pen its

principal service will be devoted to bringing out the history and the romance of the country of my love, for the admiration of the sisterhood of states, none of which are superior to Oregon in either.

Very truly yours,

FRANCES FULLER VICTOR.

SAN FRANCISCO, January 21, 1899.

Senate bill No. 54 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—24.

Nays—None.

Absent—Senators Brownell, Daly of Benton, Dufur, Kelly, Morrow and Proebstel—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Fulton, the vote whereby senate bill No. 54 was passed was reconsidered.

On motion of Senator Bates, senate bill No. 54 was recommitted to a special committee consisting of the senators from Multnomah county.

Senate bill No. 160 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—24.

Nays—None.

Absent—Senators Daly of Benton, Dufur, Fulton, Kelly, Morrow and Proebstel—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Cameron, the courtesies of the senate were extended to Hon. Gus Newbury of Jackson county, and he was invited to a seat within the bar.

Senate bill No. 76 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Daly of Benton, Dufur, Kelly, Morrow and Proebstel—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 24, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 14, a bill for an act relating to the manner of drawing jurors.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 24, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 37, a bill for an act to annex to Wallowa county a portion of Union county and to change and fix the boundaries of Wallowa county.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE!

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 24, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 53, a bill for an act to constitute Wilamette and Portland boulevards county roads.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 24, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 116, a bill for an act to amend section 1771 of Hill's Code.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 24, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 162.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 133 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Daly of Benton, Dufur, Kelly, Morrow and Proebstel—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 20 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Daly of Benton, Dufur, Kelly, Morrow and Proebstel—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Here Senator Morrow was noted as present.

Senate bill No. 48 was read third time.

On motion of Senator Adams, senate bill No. 48 was recommitted to the committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 25, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has amended senate joint resolution No. 8, and as amended has concurred in the same.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

AMENDMENT TO SENATE JOINT RESOLUTION NO. 8.

"That the day fixed for visiting the town of Corvallis be fixed for some Saturday to be determined by the committee."

On motion of Senator Michell, the amendment was concurred in.

Senate bill No. 71 was read third time.

On motion of Senator Cameron, senate bill No. 71 was recommitted to the committee on assessment and taxation.

Here Senator Dufur was noted present.

Senate bill No. 111 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Daly of Benton, Kelly and Proebstel—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 25, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 286, to amend the charter of the town of Gold Hill.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 112 was read third time.

On motion of Senator Fulton, senate bill No. 112 was recommitted to the committee on judiciary.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 25, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 73, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senate bill No. 73 was read third time.

Senator Reed moved that senate bill No. 73 be recommitted to the committee on roads and highways.

The motion was lost.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith and Mr. President—23.

Nays—Senators Cameron, Clem, Daly of Lake, and Wade—4.

Absent—Senators Daly of Benton, Kelly and Proebstel—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899.

Your committee on engrossed bills, to whom was referred senate bill No. 8, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899.

Your committee on engrossed bills, to whom was referred senate bill No. 30, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25 1899.

Your committee on engrossed bills, to whom was referred senate bill No. 46, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 25, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 49, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 25, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 53, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 25, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 58, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 25, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 81, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

	SENATE CHAMBER,	}
	SALEM, Oregon,	
<i>Mr. President:</i>	January 25, 1899.	

Your committee on engrossed bills, to whom was referred senate bill No. 84, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

On motion of Senator Harmon, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

	SENATE CHAMBER,	}
	SALEM, Oregon,	
	January 25, 1899.	

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Daly of Benton, Kelly and Proebstel.

Senate bill No. 8 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Daly of Benton, Kelly and Proebstel—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Adams introduced senate bill No. 181, a bill for an act to amend an act entitled an act to incorporate the town of Woodburn.

Senator Adams moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Daly of Benton, Kelly and Proebstel—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Adams moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Daly of Benton, Kelly and Proebstel—3.

So the rules were suspended and the bill read second time by title only.

Senator Adams moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Daly of Benton, Kelly and Proebstel—3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Daly of Benton, Kelly, Kuykendall and Proebstel—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Driver introduced senate bill No. 182, a bill for an act to provide labor for convicts at the state penitentiary.

Senator Driver moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Daly of Benton, Kelly, Kuykendall and Proebstel—5.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899.

Your committee on engrossed bills, to whom was referred senate bill No. 10, beg leave to report the same back to the senate as correctly engrossed.

JNO. D. DALY,
Chairman.

Unanimous consent being given, Senator Haseltine, chairman of the special committee composed of senators from Multnomah county, to whom was referred senate bill No. 54 for correction, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899.

Your special committee, to whom was referred senate bill No. 54, beg leave to report that they have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass as corrected.

J. E. HASELTINE,
Chairman.

On motion of Senator Haseltine, the report was adopted.

Senate bill No. 54 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Daly of Benton, Kelly, Kuykendall and Proebstel—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Clem, on behalf of Senator Kelly, introduced senate bill No. 183, a bill for an act to incorporate the city of Lebanon.

Senator Clem moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Daly of Benton, Kelly, Kuykendall and Proebstel—5.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 25, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 9, granting further time in which the committee appointed under senate joint resolution No. 4 may make their report.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 8.

Be it resolved by the house, the senate concurring, That the committee appointed under senate joint resolution No. 4 be and they are hereby granted until Wednesday, the first day of February, 1899, within which to file their report.

On motion of Senator Fulton, the senate concurred in house concurrent resolution No. 9.

Unanimous consent being given, Senator Haseltine chairman of the special committee composed of the senators from Multnomah county, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899.)

Your special committee of Multnomah delegation, to whom was referred senate bill No. 175, beg leave to report that we have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

Unanimous consent being given, Senator Haseltine, chairman of the committee on municipal corporations, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January —, 1899.)

Your committee on municipal corporations, to whom was referred senate bill No. 7, beg leave to report that they have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Strike out section 2 and substitute the following:

Section 2. The boundary limits of the city of Pendleton shall be as follows: Beginning at the southwest corner of the Reserve addition to the city of Pendleton; thence northwesterly along boundary line said Reserve addition to the south line of section 10, township 2 north, range 32 east Willamette meridian; thence west to the southwest corner of said section 10; thence north on west line said section 10 to west boundary line said Reserve addition; thence northwesterly along said boundary line to the northwest corner of said Reserve addition; thence northeasterly along the northern boundary line of said Reserve addition to a point on said line seventy-six feet southwesterly from the northeast corner of block 88, in said Reserve addition; thence north 24 degrees west to the north bank of the Umatilla river; thence easterly along north bank of said Umatilla river to west line of section 10, township 2 north, range 32 east Willamette merid-

ian ; thence north along section line to the northwest corner of said section 10 ; thence east along north line of said section 10 to southeast corner of southwest quarter of section 8, township 2 north, range 32 east Willamette meridian ; thence north one quarter mile to northeast corner of southeast quarter of southwest quarter of said section 8 ; thence east along subdivisional line three-quarters of a mile to the center of southwest quarter of section 2, township 2 north, range 32 east Willamette meridian ; thence south along subdivisional line to south bank of the Umatilla river ; thence easterly along south bank of Umatilla river to subdivisional line running north and south through centers of southwest quarter section 1 and northwest quarter section 12, township 2 north, range 32 east Willamette meridian ; thence south to northwest quarter section 12, township 2 north, range 32 east Willamette meridian ; thence west on subdivisional line to south boundary line Reserve addition ; thence southwesterly along south boundary line of said Reserve addition to place of beginning.

AMENDMENT.

In line 2 of section 12, article XII, strike out the word "one-half" and insert therein "seven-tenths."

AMENDMENT.

After the word "taxes," in line 5, section 12, article XII, and before the word "not," add the following : "including street fund property tax mentioned in section 8 of this article."

J. E. HASELTINE,
Chairman.

On motion of Senator Haseltine, the amendment was adopted.

Unanimous consent being given, Senator Haseltine, chairman of the committee on municipal corporations, submitted the following report :

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President :

January 25, 1899. }

Your committee on municipal corporations, to whom was referred house bill No. 97, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

Unanimous consent being given, Senator Haseltine, chairman of the committee on municipal corporations, submitted the following report :

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President :

January 25, 1899. }

Your committee on municipal corporations, to whom was referred senate

bill No. 116, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 25, 1899.

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 40, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the following bill be substituted therefor :

A bill for an act fixing and defining the salaries of the sheriffs and clerks in the counties of Morrow, Clackamas, Wasco and Yamhill, and the salary of the recorders of conveyances in the counties of Yamhill and Clackamas, and empowering the county court of Clackamas county to allow deputies.

Be it enacted by the legislative assembly of the state of Oregon:

Section 1. That the annual salaries of the county clerks of the several counties hereinafter named, from and after the first Monday in July, 1900, shall be as follows :

Clackamas.....	\$1,500
Morrow county.....	2,000
Wasco county.....	1,500
Yamhill county.....	1,800

Section 2. The sheriffs of the several counties herein named shall, from and after the first Monday in July, 1900, receive annual salaries as follows :

Clackamas county.....	\$1,700
Morrow county.....	2,000
Wasco county.....	2,000
Yamhill county.....	2,000

And no deputy shall be allowed any of said sheriffs, to be paid for by the county, except in the county of Clackamas.

Section 3. The recorder of conveyances of Yamhill county shall, from and after the first Monday in July, 1900, receive an annual salary of \$1,400, and shall be allowed no deputy to be paid for by the county, and the recorder of conveyances of Clackamas county shall be allowed an annual salary of \$1,200.

Section 4. The sheriff, clerk and recorder of conveyances of the county of Clackamas shall be allowed such deputies at such compensation as the county court of said Clackamas county may determine.

Section 5. The several officers above mentioned shall continue to receive the salaries and compensations now provided by law until the first Monday in July, 1900.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the report was adopted.

Senate bill No. 184, substitute for senate bill No. 40. A bill for an act fixing the salaries of clerks and sheriffs in the counties of Clackamas, Morrow, Wasco and Yamhill, and of recorders in Clackamas and Yamhill.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Daly of Benton, Kelly and Proebstel—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Fulton moved that the rules be suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Daly of Benton, Kelly and Proebstel—3.

So the rules were suspended and the bill was read second time by title only.

The bill was considered engrossed and passed to third reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 25, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 133.

And the same is herewith transmitted to you for enrollment.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 86, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments :

AMENDMENT.

Amend the body of the act by striking out all after the enacting clause and inserting in lieu thereof the following :

Section 1. The title to all tide lands within this state and all tide flats not adjacent to the shore in the waters of the state, which have been heretofore sold to purchasers by the state of Oregon, where the purchaser has, in good faith, actually paid to the state the purchase price, and the same has been received by the state, and the purchaser has not purchased from the state to exceed 320 acres of that character or class of land, are hereby confirmed to such and all such purchasers and grantees of the state without reference to the amount of any other character of lands purchased by such purchaser theretofore from the state.

Section 2. It being important that titles to the lands herein referred to should be confirmed and quieted, this act shall take effect and be in force from and after its approval by the governor.

AMENDMENT.

Amend title so as to read as follows :

A bill for an act confirming titles in purchasers and grantees of the state to tide lands and tide flats heretofore sold by the state.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendments were adopted. Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 47, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON.
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 38, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Strike out lines 6, 7, 8, 9 and 10 in printed bill.

AMENDMENT.

In line 11 of said bill, insert after the word "process" the words "or subpcena."

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendment was adopted.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 108, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON.
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 96, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the following bill be substituted therefor:

Strike out all after enacting clause and insert the following:

Section 1. That section 1804 of Hill's annotated laws of Oregon be, and the same is hereby amended so as to read as follows:

Section 1804. If any person shall willfully and knowingly use or cause to be used any private brand, label, stamp or trade mark of another, either by counterfeiting the same or using any impression or copy thereof made or prepared by the proprietor thereof, or shall willfully and knowingly use or cause to be used any colorable imitation of such brand, label, stamp or trade mark, with intent to deceive anyone, or shall, with like intent, use or cause to be used any empty or second-hand package which has contained goods, wares, merchandise, article or articles of the same general character as those for which they were first used, upon conviction thereof, such person shall be punished by imprisonment in the county jail not less than one month nor more than six months, or be fined not less than twenty dollars nor more than three hundred dollars.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendment was adopted.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 12, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

C. W. FULTON,
Chairman.

On motion of Senator Haines, senate bill No. 12 was recommitted to the committee on counties.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 113, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 85, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

C. W. FULTON,
Chairman.

On motion of Senator Josephi, senate bill No. 35 was indefinitely postponed.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 17, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

In line 2 of section 1 of the printed bill, strike out the word "two" and insert in lieu thereof the word "four"; in line 3 of said section strike out the figure "2" and insert in lieu thereof the figure "4"; in line 4 of said section, strike out the words "when available," and add to said section the following words, "in two equal payments of two thousand dollars each, the first to be paid, when available, in the year 1899, the second to be paid, when available, in the year 1900."

AMENDMENT.

Strike out section 2 of said bill.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendments were adopted.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 122,

beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 24, 1899.)

Your committee on judiciary, to whom was referred senate bill No. 123, beg leave to report that they have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

By unanimous consent, Senator Haines, chairman of the special committee consisting of the senators from Washington county, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899.)

Your special committee, to whom was referred senate bill No. 101, beg leave to report the within bill as a substitute.

A bill for an act to regulate and fix the salaries of the county clerk, sheriff and recorder of Washington county, Oregon, and fix the time for such reductions to take place.

Be it enacted by the legislative assembly of the state of Oregon :

Section 1. From and after July 1, 1900, the salary of the county clerk of Washington county, Oregon, shall be eighteen hundred dollars a year, and he shall be allowed one deputy, whose salary shall be six hundred dollars a year.

Section 2. From and after July 1, 1900, the salary of the sheriff of Washington county, Oregon, shall be eighteen hundred dollars a year, and he shall be allowed one deputy, whose salary shall be six hundred dollars a year.

Section 3. From and after July 1, 1900, the salary of recorder of Washington county, Oregon, shall be twelve hundred dollars a year. This act shall repeal all former acts or parts of acts in conflict herewith.

E. W. HAINES,
Chairman.

On motion of Senator Haines, the report was adopted.

Senator Haines moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Daly of Benton, Kelly and Proebstel—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Haines moved that the rules be further suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Daly of Benton, Kelly, Proebstel and Reed—4.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Haines, referred to a special committee, consisting of the senators from Washington county.

Unanimous consent being given, Senator Daly of Lake, by request of Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 25, 1899.

Your committee on revision of laws, to whom was referred senate bill No. 79, beg leave to report that we have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Add to subdivision 5 of section 2, "providing the county court may, in its discretion, require the attendance of the assessor during all or any portion of the time that they shall deem proper when sitting as a board of equalization."

AMENDMENT.

Amend section 3 by striking out all that part after the word "roll" in line 5 thereof, and insert the following: "The court shall cause a certified copy of the assessment roll thus completed under the seal of the county court to be made and filed in the office of the county clerk, and the court shall also cause a summary of said assessment roll to be made and certified under the seal of the county court, and sent to the secretary of state on or before the tenth day of December following.

PERCY R. KELLY,
Chairman.

On motion of Senator Daly of Lake, the amendments were adopted.

Unanimous consent being given, Senator Brownell, chairman of the committee on railroads, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

February 25, 1899. }

Mr. President:

Your committee on railroads, to whom was referred senate bill No. 14, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

In the first line of the title in printed bill strike out the words "Chinese and bull," and insert in lieu thereof the words "and Chinese."

AMENDMENT.

In line 4 in section 1 of said printed bill, strike out the words "the Chinese thistle or the bull," and insert in lieu thereof the words "or the Chinese."

AMENDMENT.

In line 3 of section 5, on page 2 of said printed bill, strike out the word "Chinese."

AMENDMENT.

In line 4 of said section 5, strike out the words "thistle or bull," and insert in lieu thereof the words "or Chinese."

AMENDMENT.

In line 4 of section 5, on page 3 of said printed bill, strike out the words "Chinese thistle or bull," and insert in lieu thereof the words "or Chinese."

AMENDMENT.

In line 2 of section 7, on said page 3, strike out the words "Chinese thistle and bull," and insert in lieu thereof, "and Chinese."

AMENDMENT.

In the third line of said page 3, strike out the figure "5" after the word "section," and insert the figure "6."

AMENDMENT.

In the tenth line of said page 3, after the word "section," strike out the figure "6" and insert in lieu thereof the figure "7."

AMENDMENT.

In the fourteenth line of said page 3, after the word "section," strike out the figure "7," and insert in lieu thereof the figure "8."

AMENDMENT.

In the twenty-second line of said page 3, after the word "section," strike out the figure "8" and insert in lieu thereof the figure "9."

AMENDMENT.

In the last line on said page 3, after the word "section," strike out the figure "8" and insert in lieu thereof the figures "10."

AMENDMENT.

In line 3 of page 4 of said printed bill, after the word "section," strike out the figure "9" and insert in lieu thereof the figures "11."

GEO. C. BROWNELL,
Chairman.

On motion of Senator Brownell, the amendments were adopted.

Unanimous consent being given, Senator Brownell, chairman of the committee on railroads, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 25, 1899. }

Mr. President:

Your committee on railroads, to whom was referred senate bill No. 148, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

GEO. C. BROWNELL,
Chairman.

Unanimous consent being given, Senator Driver, chairman of the committee on federal relations, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January —, 1899.)

Mr. President:
Your committee on federal relations, to whom was referred senate bill No. 90, beg leave to report that we have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

I. D. DRIVER,
Chairman.

Unanimous consent being given, Senator Harmon, chairman of the committee on elections, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 25, 1899.)

Mr. President:
Your committee on elections, to whom was referred senate bill No. 169, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

C. E. HARMON,
Chairman.

Unanimous consent being given, Senator Porter, chairman of the committee on public lands, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 25, 1899.)

Mr. President:
Your committee on public lands, to whom was referred senate bill No. 109, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

In section 2, line 5 of printed bill, after the word "such" insert the words "that he is a resident of this state."

L. L. PORTER,
Chairman.

On motion of Senator Porter, the amendment was adopted.

Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 25, 1899. }

Mr. President:

Your committee on fishing industries, to whom was referred senate bill No. 107, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. REED,
Chairman.

Unanimous consent being given, Senator Howe, chairman of the committee on claims, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 25, 1899. }

Mr. President:

Your committee on claims, to whom was referred senate bill No. 39, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. A. HOWE,
Chairman.

Unanimous consent being given, Senator Mackay, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 25, 1899. }

Mr. President:

Your committee on counties, to whom was referred senate bill No. 88, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

DONALD MACKAY,
Chairman.

Unanimous consent being given, Senator Mackay, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 25, 1899. }

Mr. Speaker:

Your committee on counties, to whom was referred senate bill No. 146, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

DANALD MACKAY,
Chairman.

Senate bill No. 183. Senator Mulkey (by unanimous consent). A bill for an act providing for the printing of department reports, etc.

The bill was read first time and passed to second reading without question.

Senate bill No. 187. Senator Howe (by request, by unanimous consent). A bill for an act to protect life and property from danger by railroads.

Senator Howe moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Daly of Benton, Kelly, and Proebstel—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 188. Senator Porter (by unanimous consent). A bill for an act to prevent combinations among fire insurance companies, and to provide a penalty therefor.

Senator Porter moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Daly of Benton, Kelly and Proebstel—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 189. Senator Mulkey (by unanimous consent). A bill for an act to incorporate the city of Monmouth.

Senator Mulkey moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Daly of Benton, Kelly and Proebstel—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Mulkey moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Mitchell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Daly of Benton, Kelly, Dufur and Proebstel—4.

So the rules were suspended and the bill was read second time by title only.

Senator Mulkey moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Mitchell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Daly of Benton, Kelly and Proebstel—3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Looney, Mackay, Mitchell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—23.

Nays—None.

Absent—Senators Adams, Clem, Daly of Benton, Kelly, Kuykendall, Dufur and Proebstel—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 10 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Clem, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kuykendall, Looney, Morrow, Mulkey, Porter, Reed, Selling and Wade—16.

Nays—Senators Bates, Cameron, Haseltine, Mackay, Michell, Patterson, Smith and Mr. President—8.

Absent—Senators Adams, Brownell, Daly of Benton, Dufur, Kelly and Proebstel—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 30 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Cameron, Clem, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling and Smith—21.

Nays—Mr. President.

Absent—Senators Adams, Brownell, Daly of Benton, Dufur, Kelly, Mackay, Proebstel and Wade—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 46 was read third time.

Emergency clause amended by unanimous consent.

On motion of Senator Smith, senate bill No. 46 was made a special order for tomorrow at 10 o'clock a. m.

Unanimous consent being given, Senator Looney introduced senate resolution No. 14.

SENATE RESOLUTION NO. 14.

Resolved, That a special committee of three be appointed to visit the deaf mute school.

On motion of Senator Looney, senate resolution No. 14 was adopted.

The president appointed Senators Looney, Smith and Morrow as members of the committee provided under senate resolution No. 14.

Senator Daly of Lake moved that the rules be suspended and senate bill No. 168 be read the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Daly of Benton, Kelly and Proebstel—3.

So the rules were suspended and the bill was read second time by ittle only, and, on motion of Senator Daly of Lake, referred to a special committee consisting of the senators from Crook, Klamath and Lake.

On motion of Senator Mackay, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

THURSDAY, JANUARY, 26, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 26, 1899. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senators Proebstel and Morrow, who were excused on account of illness.

The morning session was opened with prayer by Rev. Shupp, of Salem, Oregon.

On motion of Senator Brownell, the courtesies of the senate were extended to Mr. Richard Scott, and he was invited to a seat within the bar.

On motion of Senator Adams, the reading of the journal of yesterday's proceedings was dispensed with.

On motion of Senator Looney, senate resolution No. 14 was amended to include the blind school.

Senate bill No. 46 being a special order for 10 o'clock today, on motion of Senator Smith the consideration of Senate bill No. 46 was continued until 11:30 a. m. today, and it was made a special order for that hour.

Unanimous consent being given, Senator Daly of Benton, introduced senate joint memorial No. 2.

SENATE JOINT MEMORIAL NO. 2.

To the honorable senate and house of representatives of the United States of America:

Your memorialists, the legislative assembly of the state of Oregon, most respectfully represent; that

Whereas, we learn with a sense of great disappointment and deep regret that no appropriation is provided in the appropriation bill as reported by the committee for the continuance of improvements to Yaquina bay harbor, or for the carrying out of the terms of the contract which has been duly let for such improvements as have been outlined and recommended by the board of United States engineers; and

Whereas, we realize that it is of vital importance to the state of Oregon, that such improvements be continued and that such contract be carried out;

Therefore, the legislature of the state of Oregon memorialize and pray the congress of the United States to provide an appropriation for the continuance of such improvements to said Yaquina bay harbor, and the carrying out of said contract; and for this purpose your memorialists will ever pray;

Resolved, That the secretary of state be instructed to forward a copy of this memorial to our senators and representatives in congress, with the request that we use every honorable means to secure the appropriation herein asked.

Senator Daly of Benton, moved the adoption of the resolution. On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Howe, Morrow and Proebstel—3.

So the memorial was adopted.

Unanimous consent being given, Senator Daly of Lake, chairman of a special committee consisting of the senators from Crook, Klamath and Lake, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 26, 1899. }

Your special committee consisting of the delegation from Crook, Klamath and Lake, to whom was referred senate bill No. 168, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

In line 146 of section 1, subdivision 24, insert after the word "tax" the words "upon real property."

AMENDMENT.

In line 149 of section 1, subdivision 24, insert after the word "water-works" the words "and electric light plant."

AMENDMENT.

In line 151 of section 1, subdivision 24, insert after the word "evidenced" the word "negotiable."

AMENDMENT.

In line 155 of section 1, subdivision 24, insert after the word "inhabitants" the words "and an electric light plant sufficient to furnish the town and its inhabitants with electric light."

AMENDMENT.

In line 176 of section 1, subdivision 25, insert after the word "water-works" the words "and electric light plant."

AMENDMENT.

In line 178 of section 1, subdivision 25, insert after the word "water" the words "and light."

AMENDMENT.

In line 179 of section 1, subdivision 25, insert after the word "water-works" the words "and electric light plant."

AMENDMENT.

In line 180 of section 1, subdivision 25, insert after the word "water" the words "or light."

AMENDMENT.

In line 183 of section 1, subdivision 26, insert after the word "water" the words "and light."

AMENDMENT.

In line 184 of section 1, subdivision 26, insert after the word "water-works" the words "and electric light plant."

AMENDMENT.

In line 186 of section 1, subdivision 26, insert after the word "water-works" the words "and electric light plant."

AMENDMENT.

After line 195 substitute the following new subdivision :

28. The common council may defer the purchase or construction of said electric light plant until after the completion of the waterworks.

AMENDMENT.

Amend subdivision 24 of section 1 by adding thereto the following :

Provided, further, That the sale of said bonds shall be advertised in some local paper to be designated by the town council, and in at least one bond or financial paper published in the city of New York, and in such other papers published in other money centers as the town council may deem best, for a period of not less than three months, and that it shall be the duty of said council to make public the terms of every bid received for said bonds, and sell the same to the best bidder.

B. DALY,
Chairman.

Unanimous consent being given, Senator Josephi, chairman of the committee on military affairs, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President :

January 25, 1899. }

Your committee on military affairs, to whom was referred senate bill No. 127, beg leave to report that they have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment to the printed bill :

AMENDMENT.

In line 2 of section 1, after the word "thereof," strike out the words "honorably discharged union soldiers and sailors," and insert in lieu thereof the words "all soldiers, sailors and marines honorably discharged from the service of the United States."

S. E. JOSEPHI,
Chairman.

On motion of Senator Josephi, the amendment was adopted.

Unanimous consent being given, Senator Bates, chairman of the committee on roads and highways, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President :

January 26, 1899. }

Your committee on roads and highways, to whom was referred senate bill No. 93, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

GEORGE W. BATES,
Chairman.

Unanimous consent being given, Senator bates, chairman of the committee on roads and highways, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 26, 1899. }

Mr. Speaker:

Your committee on roads and highways, to whom was referred senate bill No. 98, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

GEORGE W. BATES,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 26, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bills Nos. 69, 90 and 92, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senate bill No. 84 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Adams, Morrow and Proebstel—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 49 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Hasel-

tine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith Wade and Mr. President — 25.

Nays — None.

Absent — Senators Morrow and Proebstel — 2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
SALEM, Oregon, }
January 26, 1899. }

To the honorable, the president of the senate:

I am directed by the governor to inform you that he has approved and signed the following bills: Senate bills Nos. 100, 125 and 159.

WALTER LYON,
Private secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 159, a bill for an act to establish and incorporate the port of Tillamook, and provide for the improvement of Hoquarton slough, etc.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER, }
SALEM, Oregon, }
January 26, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 86, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 26, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 74, a bill for an act to incorporate the town of Nehalem, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 26, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 170, a bill for an act to amend the charter of the town of Tangent.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 26, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 4, memorializing congress not to admit Brigham H. Roberts (a polygamous Mormon) to a seat in congress.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE JOINT MEMORIAL NO. 4.

To the honorable senate and house of representatives of the United States of America:

Your memorialists, the legislative assembly of the state of Oregon, most respectfully represent:

Whereas, from reliable testimony, it appearing that Mr. Brigham H. Roberts, congressman-elect from Utah, is a polygamous Mormon, whose election has been a gross violation of the solemn pledge by which his state received admission to the union; and furthermore, it is not denied that he has violated the constitution and laws of his own state, which prohibits polygamy, and stigmatizes it as a felony; and not only so, but there has been no denial of the statement from reliable sources that Mr. Roberts has taken an additional wife since the anti-polygamous manifesto of the Mormon church was issued; and furthermore, it has been freely stated and generally accepted that he was elected to give polygamous Mormons an opportunity to test the forbearance of this government, and that his seating would be a signal for a general revival of open polygamy; and in behalf of good morals and of the upholding of the laws of our country, and in recognition of the duty which all law-abiding citizens owe to their homes, to the women of Utah, and to womanhood itself; therefore, be it

Resolved, That the Oregon legislative assembly does earnestly protest against the seating in the house of representatives of the United States of Mr. Brigham H. Roberts, polygamous Mormon of Utah, and we respectfully petition you to use all legitimate means in your power to prevent it in order that right and decency may prevail, and that this country may be spared the humiliation of standing before the world as having placed in the hands of an insolent law-breaker the power to make laws for the country whose laws he has broken, and today continues to defy and bring into contempt.

On motion of Senator Reed, house joint memorial No. 4 was referred to the committee on claims.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 185, a bill for an act to incorporate the town of New Astoria.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 25, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 281, a bill for an act to incorporate the city of Wallowa.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 25, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 313, a bill for an act to incorporate the town of Marshfield.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 25, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 220, a bill for an act to incorporate the town of Warrenton.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Cameron, the courtesies of the senate were extended to Hon. C. B. Watson, and he was invited to a seat within the bar.

Senate bill No. 53 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 58 was read third time.

On motion of Senator Kelly, senate bill No. 58 was recommit-
ted to the committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 25, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 211, a bill for an act to incorporate the town of Bay City, in Tillamook county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

Unanimous consent being given, Senator Mulkey, chairman of the committee on assessment and taxation, submitted the following report:

REPORT.

SENATE CHAMBER, }
 SALEM, Oregon, }
 January 26, 1899. }

Mr. President:

Your committee on assessment and taxation, to whom was referred senate bill No. 150, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Strike out section 5 of the printed bill.

B. F. MULKEY,
 Chairman.

On motion of Senator Mulkey, the amendment was adopted.

On motion of Senator Reed, the courtesies of the senate were extended to Hon. Dunham Wright, and he was invited to a seat within the bar.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER, }
 SALEM, Oregon, }
 January 26, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 114, beg leave to report that they have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Strike out from line 4 of section 1 of printed bill the words "costs to the amount of \$2.50 and".

AMENDMENT.

Strike out from line 6 of section 2 of printed bill the words "costs and."

AMENDMENT.

Strike out from line 4 of section 2 of printed bill the words "within ten days from the date of service," and insert in lieu thereof the words "at a time specified, which shall be not less than five nor more than twenty days from the date of the service of summons."

AMENDMENT.

Strike out from line 2 of section 5 of printed bill the words "costs and."

AMENDMENT.

Strike out from line 2 of section 6 of printed bill the words "costs and."

AMENDMENT.

Strike out from line 1 of section 14 of printed bill the word "by," and insert in lieu thereof the word "upon."

AMENDMENT.

Strike out from line 4 of section 15 of printed bill the word "upon," and insert in lieu thereof the word "on."

AMENDMENT.

Strike out from line 2 of section 16 of printed bill the word "application," and insert in lieu thereof the word "affidavit."

AMENDMENT.

Strike out from line 10 of subdivision 3 of section 16 of printed bill the word "upon," and insert in lieu thereof the word "on."

AMENDMENT.

Strike out from line 1 of section 19 of printed bill the word "upon," and insert in lieu thereof the word "on."

AMENDMENT.

Strike out from line 9 of section 19 of printed bill the word "costs," and insert in lieu thereof the word "disbursements."

AMENDMENT.

Strike out from line 1 of section 17 of printed bill the word "costs," and insert in lieu thereof the word "disbursements."

AMENDMENT.

Strike out from line 1 of section 22 of printed bill the word "justice," and insert in lieu thereof the word "justice's."

AMENDMENT.

Strike out from line 3 of section 25 of printed bill the word "holding," and insert in lieu thereof the words "being held."

AMENDMENT.

Strike out from line 1 of section 35 of printed bill, after the word "to," the word "a," and insert in lieu thereof the word "the."

AMENDMENT.

Strike out from lines 1 and 2 of section 39 of printed bill the words "an action at law," and insert in lieu thereof the words "a civil action."

AMENDMENT.

Strike out from line 3 of section 39 of printed bill the word "costs," and insert in lieu thereof the word "disbursements."

AMENDMENT.

Insert in line 4 of section 41, printed bill, between the word "party" and the word "and," the words "or his attorney."

AMENDMENT.

Strike out from line 5 of section 41 the word "of," and insert in lieu thereof the words "and disbursements on."

AMENDMENT.

Add to section 41 of printed bill, after the word "service," in line 7, the words "if the appeal shall be taken by giving oral notice thereof as herein provided the fact that such notice has been given shall be noted in the docket of the justice."

AMENDMENT.

Strike out from line 4 of section 51 of printed bill the words "costs and."

AMENDMENT.

Insert in line 6 of section 52 of printed bill, between the letters "IV" and the letters "VI" the letter "V."

C. W. FULTON,
Chairman.

On motion of Senator Dufur, the amendment was adopted.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 26, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 124, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 26, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 132, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 26, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 120, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Amend senate bill No. 120 by adding the following section thereto:

Section 4. If upon the canvass of the votes by the secretary of state, it shall appear that the amendment proposed to the constitution by said senate joint resolution No. 18 has been ratified by a majority of the electors, it shall be the duty of the governor to appoint two additional justices of the supreme court, to hold and continue in office until the next general election

thereafter, at which election there shall be elected to succeed such appointees, one justice of the supreme court for the term of four years, and one justice of the supreme court for the term of six years, and thereafter their successors shall be elected for the full term of six years.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendment was adopted.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 26, 1899 }

Your committee on judiciary, to whom was referred senate bill No. 134, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

C. W. FULTON,
Chairman.

Senate bill No. 69 was read third time.

On motion of Senator Josephi, senate bill No. 69 was recommitted to the committee on medicine, pharmacy and dentistry.

Senate bill 190. Senator Kuykendall (by unanimous consent). A bill for an act to authorize the regents of the state university to use certain moneys in the treasury as university tax fund.

Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill 191. Senator Mulkey (by unanimous consent). A bill for an act to amend an act creating a state land agent.

Senator Mulkey moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 81 was read third time.

On motion of Senator Josephi, the courtesies of the senate were extended to Dr. Franklin Cauthorn, of Portland, Oregon, and he was invited to a seat within the bar.

Senate bill No. 46 being made a special order for 11:30 a. m. today, and that hour having arrived, further consideration of senate bill No. 81 was continued.

On motion of Senator Reed, senate bill No. 46 was recommitted to the committee on judiciary.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 26, 1899. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Morrow, Proebstel and Smith.

Senate bill No. 6 being made a special order for this hour, Senator Haines moved that senate bill No. 6 be recommitted to the committee on judiciary.

Senators Haines and Mitchell called for the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Haines, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed and Mr. President—16.

Nays—Senators Daly of Lake, Dufur, Fulton, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Selling and Wade—11.

Absent—Senators Morrow, Proebstel and Smith—3.

So senate bill No. 6 was recommitted to the committee on judiciary.

The president appointed Senators Daly of Benton and Mulkey on the part of the senate as members of the joint committee as provided under senate joint resolution No. 8.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 26, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 118, a bill for an act providing for the protection of razor clams, and declaring an emergency.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 26, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 309, redistricting the state for senatorial and representative districts.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 26, 1899.

Mr. President:

I am directed by the speaker to inform you that he has signed house concurrent resolution No. 9.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house concurrent resolution No 9, and soon thereafter stated that he had signed the same.

The president announced that Senator Smith had been excused.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 January 26, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house concurrent resolution No. 10, fixing the time for house and senate to visit the agricultural college.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 10.

Resolved by the house, the senate concurring, That the time for visiting the agricultural college at Corvallis be changed from Saturday, February 4, to Wednesday, February 1, 1899.

On motion of Senator Daly of Benton the senate concurred in house concurrent resolution No. 10.

Senate bill No. 81 coming on for second reading, on motion of Senator Looney, was recommitted to the committee on education.

Senate bill No. 192. Senator Michell (by unanimous consent). A bill for an act to incorporate Dalles City.

Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were--

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President — 27.

Absent—Senators Morrow, Proebstel and Smith.— 3.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Michell moved that the rules be further suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President — 27.

Absent—Senators Morrow, Proebstel and Smith—3.

Nays—None.

So the rules were suspended and the bill was read second time by title only and referred to a special committee composed of the senators from Sherman and Wasco counties.

Senator Reed moved that when the senate adjourn it adjourn to meet at 8 o'clock p. m. today.

The motion prevailed.

Unanimous consent being given, Senator Kelly submitted senate petition No. 7.

SENATE PETITION NO. 7.

To the honorable senate and house of representatives of the state of Oregon:

We, the undersigned, attorneys residing in the city of Albany in said state, and actively engaged in the practice of law in the third judicial district therein, most respectfully and earnestly represent and show to you that the bill now pending before the senate for the purpose of repealing the law providing for an additional circuit judge for the third judicial district in the state of Oregon ought not to pass for the reason that in order to properly, thoroughly and expeditiously consider and dispose of all the large volume of legal business now coming and pending before the various courts of said district, it necessarily requires two circuit judges for said district.

Wherefore, we most respectfully and earnestly ask your honorable body not to pass said, or any, bill repealing said law.

Signed by members of the bar of Albany.

Senate petition No. 7 was referred to committee on counties.

Senate bill No. 90 was read third time.

On motion of Senator Daly of Lake senate bill No. 90 was referred to the committee on revision of laws.

Senate bill No. 92 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Porter, Reed, Selling and Mr. President—23.

Nays—Senator Wade.

Absent—Senators Brownell, Morrow, Mulkey, Patterson, Proebstel and Smith—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 86 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Josephi, Kelly, Kuykendall, Looney, Michell, Mulkey, Patterson, Porter, Reed and Selling—19.

Nays—Senators Clem, Haines, Haseltine, Howe, Mackay, Wade and Mr. President—7.

Absent—Senators Harmon, Morrow, Proebstel and Smith—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 26, 1899.

Your committee on engrossed bills, to whom was referred senate bill No. 7, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Reed moved that the vote whereby senate bill No. 10 was passed be reconsidered.

Senators Haines and Fulton called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Driver, Dufur, Harmon, Haseltine, Josephi, Kuykendall, Mackay, Michell, Patterson, Porter, Reed and Mr. President—17.

Nays—Senators Clem, Fulton, Haines, Howe, Kelly, Looney, Mulkey, Selling and Wade—9.

Absent—Senators Daly of Lake, Morrow, Proebstel and Smith—4.

So the vote whereby the senate passed senate bill No. 10 was reconsidered, and on motion of Senator Reed the bill was referred to the committee on judiciary.

By unanimous consent Senator Michell called up house bill No. 309.

Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Has-

eltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Mitchell moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykenkall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Wade and Mr. President—24.

Nays—Senator Selling.

Absent—Senators Adams, Driver, Morrow, Proebstel and Smith—5.

So the rules were suspended and the bill was read second time by title only and referred to the committee on counties, with leave to report at any time.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

January 26, 1899.

Mr. President:

Your committee on engrossed bills, to whom was referred senate bills Nos. 45, 47, 88, 96, 113, 123, 146 and 169, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Selling introduced senate resolution No. 15.

SENATE RESOLUTION NO. 15.

Resolved, That the senate of the state of Oregon views with displeasure the spectacle of officers of the state remaining away from their post of duty while drawing full pay, and attending the session of the legislature.

Senator Selling moved the adoption of the resolution.

On motion of Senator Fulton, senate resolution No. 15 was referred to the committee on fishing industries.

The president called Senator Mitchell to the chair.

By unanimous consent, President Taylor called up senate bill No. 7.

Senate bill No. 7 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—25.

Nays—None.

Absent—Senators Harmon, Mackay, Morrow, Proebstel and Smith—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Bates, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

EVENING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 26, 1899.)

The senate was called to order at 8 p. m. pursuant to adjournment.

The roll was called, and all the senators were present except Senators Morrow, Proebstel and Smith.

House bill No. 97 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Absent—Senators Kuykendall, Morrow, Proebstel and Smith—4.

Nays—None.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Haseltine, chairman of the special committee composed of the senators from Multnomah county, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 26, 1899. }

Your special committee, to whom was referred senate bill No. 144, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

Unanimous consent being given, Senator Haseltine, chairman of the committee on horticulture, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 26, 1899. }

Your committee on horticulture, to whom was referred senate bill No. 59, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

Unanimous consent being given, Senator Haseltine, chairman of the committee on horticulture, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 26, 1899. }

Your committee on horticulture, to whom was referred senate bill No. 61, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

Unanimous consent being given, Senator Haseltine, chairman of the committee on municipal corporations, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 26, 1899. }

Your committee on municipal corporations, to whom was referred senate bill No. 163, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

Unanimous consent being given, Senator Haseltine, chairman of the committee on municipal corporations, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 26, 1899. }

Mr. President:

Your committee on municipal corporations, to whom was referred house bill No. 22, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

Unanimous consent being given, Senator Haseltine, chairman of the committee on municipal corporations, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 26, 1899. }

Mr. President:

Your committee on municipal corporations, to whom was referred house bill No. 181, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

Unanimous consent being given, Senator Brownell, chairman of the committee on railroads, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 26, 1899. }

Mr. President:

Your committee on railroads, to whom was referred senate bill No. 102, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

GEORGE C. BROWNELL,
Chairman.

Unanimous consent being given, Senator Howe, chairman of the committee on claims, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 26, 1899. }

Mr. President:

Your committee on claims, to whom was referred house joint memorial No. 4, beg leave to report that we have had the same under consideration,

and respectfully report it back to the senate with the recommendation that as they were doubtful as to many points of law involved in said memorial, they would request that the same be referred to a select committee composed of Senators Fulton and Reed.

W. A. HOWE,
Chairman.

On motion of Senator Fulton, Senator Daly of Lake was added to the committee.

On motion of Senator Selling, the report was adopted.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

	SENATE CHAMBER,	}
	SALEM, Oregon,	
<i>Mr. President :</i>	January 26, 1899.	

Your committee on enrolled bills, to whom was referred senate bill No. 133, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

Unanimous consent being given, Senator Daly of Lake, chairman of the committee on medicine, pharmacy and dentistry, submitted the following report:

REPORT.

	SENATE CHAMBER,	}
	SALEM, Oregon,	
<i>Mr. President :</i>	January 26, 1899.	

Your committee on medicine, pharmacy and dentistry, to whom was recommitted senate bill No. 69 for amendment, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the following amendments to the printed bill:

AMENDMENT.

After the enacting clause insert the words and figures :
Section 1. That the act entitled "an act to amend section 3557 of chapter XLIX of the general laws of Oregon, as compiled by W. Lair Hill," approved February 20, 1891, be amended so as to read as follows :

AMENDMENT.

After the word "section" in line 1 of section 1, strike out figure "1" and insert in lieu thereof the figures "3557."

AMENDMENT.

Strike out the words and figures "section 2," "section 3," "section 4," "section 5," "section 6" and "section 7" where they occur at the beginning of the respective sections so numbered in printed bill.

AMENDMENT.

At the end of section 7 insert the following:

Section 2. That section 3558 of chapter XLIX of the general laws of the state of Oregon, as compiled by W. Lair Hill, be amended so as to read as follows:

AMENDMENT.

After the word "section" in line 1 of section 8, strike out the figure "8," and insert in lieu thereof the figures "3558."

AMENDMENT.

After the word "section" in line 1 of section 9, strike out the figure "9" and insert in lieu thereof the figure "3."

AMENDMENT.

Add to the act the following:

"Section 4. All acts or parts of acts inconsistent herewith are hereby repealed."

AMENDMENT.

In line 16, section 8, after the word "thereto" insert "should the county seat be more than fifty miles from a railroad, the person committed shall be conveyed to the asylum by any proper person or persons selected and designated by the county judge, and the expenses of conveying the same shall be paid by the state treasurer, on the warrant of the secretary of state, out of the fund appropriated for such purpose, but shall never exceed \$3 per day to the person appointed, and his actual reasonable and necessary expenses, together with \$2.50 per day for the necessary attendants, certified to by the secretary of state, in conveying to and returning from the asylum on the most usual and direct routes, with ordinary celerity.

B. DALY,
Chairman.

On motion of Senator Daly of Lake, the amendments were adopted.

Senate bill No. 193. Senator Kuykendall (by unanimous consent). A bill for an act to incorporate the city of Eugene.

Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Kuykendall moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill was read second time by title only and referred to the committee on municipal corporations.

House bill No. 159 coming on for first reading, Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Kuykendall moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill was read second time by title only.

Senator Kuykendall moved that the rules be further suspended, and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President — 27.

Nays — None.

Absent — Senators Morrow, Proebstel and Smith — 3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President — 27.

Nays — None.

Absent — Senators Morrow, Proebstel and Smith — 3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 220 coming on for first reading, Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President — 27.

Nays — None.

Absent — Senators Morrow, Proebstel and Smith — 3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Fulton moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Fulton, referred to the committee on judiciary.

House bill No. 185 coming on for first reading, Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Fulton moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel, and Smith—3.

So the rules were suspended and the bill was read second time by title only.

Senator Fulton moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon,

Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Reed, Selling, Wade and Mr. President—25.

Nays—None.

Absent—Senators Howe, Morrow, Mulkey, Proebstel and Smith—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 313 coming on for first reading, Senator Harmon moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Harmon moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill was read second time by title only.

Senator Harmon moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 281 coming on for first reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Wade moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill read second time by title only.

Senator Wade moved that the rules be further suspended and the bill considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Reed, Selling, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Morrow, Mulkey, Proebstel and Smith—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 74 coming on for first reading, Senator Patterson moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Hasel-

tine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Patterson moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill was read second time by title only.

Senator Patterson moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Morrow, Mulkey, Proebstel and Smith—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 211 coming on for first reading, Senator Patterson moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Patterson moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill was read second time by title only.

Senator Patterson moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Proebstel and Smith—3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Reed, Selling, Wade and Mr. President—25.

Nays—None.

Absent—Senators Fulton, Morrow, Mulkey, Proebstel and Smith—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 181 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—27.

Nays—None.

Absent—Senators Proebstel, Morrow and Smith—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Dufur was excused from attendance at tomorrow's session.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

FRIDAY, JANUARY 27, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 27, 1899. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senators Morrow, Proebstel, Smith and Dufur.

The morning session was opened with prayer by Rev. W. C. Kantner, D. D., of Salem, Oregon.

On motion of Senator Brownell, the reading of the journal of yesterday's proceedings was dispensed with.

Senator Mackay, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President :

January 26, 1899. }

Your committee on counties, to whom was referred house bill No. 309, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

DONALD MACKAY,
Chairman.

Senator Daly of Lake moved to amend the report by the adoption of the following amendment:

Amend section 3, line 17, by striking out the word "Wasco" and inserting the word "Harney."

Senator Fulton moved that house bill No. 309 be made a special order for Tuesday, January 31, at 2:30 o'clock p. m.

The motion was lost.

Senator Kelly moved that house bill No. 309 be made a special order for Tuesday, January 31, at 2 o'clock p. m.

Senators Kelly and Fulton called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Clem, Daly of Lake, Driver, Fulton, Harmon, Kelly, Kuykendall, Looney and Wade—9.

Nays—Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Haines, Haseltine, Josephi, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling and Mr. President—16.

Absent—Senators Dufur, Howe, Morrow, Proebstel and Smith—5.

So the motion was lost.

Upon a vote being taken, the senate refused to adopt the amendment.

Senator Daly of Lake moved to amend the report by the adoption of the following amendment:

Amend line 41 of section 4 of printed bill by striking out the word "Wasco."

Senators Daly of Lake and Wade called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Clem, Daly of Lake and Wade—3

Nays—Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Driver, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling and Mr. President—21.

Absent—Senators Dufur, Morrow, Proebstel and Smith—4.

Not voting—Senators Fulton and Harmon—2.

So the motion to amend was lost.

Senator Kelly moved to amend the report by the adoption of the following amendment:

Amend by striking out the words “representing districts composed of more than one county” in lines 1 and 2 of section 5 of the printed bill.

A vote being taken, the senate refused to adopt the amendment.

On motion of Senator Selling, the report was adopted.

Senator Selling moved that the rules be suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Driver, Haines, Harmon, Haseltine, Howe, Josephi, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling and Mr. President—20.

Nays—Senators Clem, Daly of Lake, Fulton, Kelly, Kuykendall and Wade—6.

Absent—Senators Dufur, Morrow, Proebstel and Smith—4.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, “Shall the bill pass?” the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling and Mr. President—22.

Nays—Senators Clem, Daly of Lake, Kelly and Wade—4.

Absent—Senators Dufur, Morrow, Proebstel and Smith—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bates moved that when the senate adjourn it adjourn to meet at 2:30 o'clock p. m. Monday, January 30.

The motion prevailed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has concurred in senate joint memorial No. 2, memorializing congress for the continuance of improvements at Yaquina bay harbor.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house concurrent resolution No. 10.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 1, proposing an amendment to the constitution of the state.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE JOINT RESOLUTION NO. 1.

Resolved by the house, the senate concurring, That the following amendment to the constitution of the state of Oregon be, and the same hereby is proposed :

AMENDMENT.

Section 1 of article IV of the constitution of the state of Oregon shall be, and hereby is amended to read as follows :

Section 1. The legislative authority of the state shall be vested in a legislative assembly, consisting of a senate and house of representatives, but the people reserve to themselves power to propose laws and amendments to the constitution and to enact or reject the same at the polls, independent of the legislative assembly, and also reserve power at their own option to approve or reject at the polls any act of the legislative assembly. The first power reserved by the people is the initiative, and not more than eight per cent. of the legal voters shall be required to propose any measure by such petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions shall be filed with the secretary of state not less than four months before the election at which they are to be voted upon. The second power is the referendum, and it may be ordered (except as to laws necessary for the immediate preservation of the public peace, health or safety), either by petition signed by five per cent. of the legal voters, or by the legislative assembly as other bills are enacted. Referendum petitions shall be filed with the secretary of state not more than ninety days after the final adjournment of the session of the legislative assembly which passed the bill on which the referendum is demanded. The veto power of the governor shall not extend to measures referred to the people. All elections on measures referred to the people of the state shall be had at the biennial regular general elections, except when the legislative assembly shall order a special election. Any measure referred to the people shall take effect and become the law when it is approved by a majority of the votes cast thereon, and not otherwise. The style of all bills shall be, "Be it enacted by the people of the state of Oregon." This section shall not be construed to deprive any member of the legislative assembly of the right to introduce any measure. The whole number of votes cast for justice of the supreme court at the regular election last preceding the filing of any petition for the initiative or for the referendum shall be the basis on which the number of legal voters necessary to sign such petition shall be counted. Petitions and orders for the initiative and for the referendum shall be filed with the secretary of state, and in submitting the same to the people, he and all other officers shall be guided by the general laws, and the act submitting this amendment, until legislation shall be especially provided therefor.

On motion of Senator Howe, house joint resolution No. 1 was referred to the committee on revision of laws.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house herewith returns to you senate bill No. 10, in accordance with your request and by motion on the part of the house.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 38, a bill for an act relating to pilotage on the Columbia river.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,)
SALEM, Oregon,)
January 26, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 128, a bill for an act to protect crawfish.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 329, a bill for an act to relieve the state from payment of costs, and furnishing bonds and undertakings.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 26, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 252, an act relating to state normal schools.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 27, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bill No. 133.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate bill No. 133 and house concurrent resolution No. 10, and soon thereafter stated that he had signed the same.

Senate bill No. 194. Senator Kuykendall (by unanimous consent). A bill for an act to provide for uniform and general system of public schools in Oregon.

Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Reed, Selling, Wade and Mr. President—25.

Nays—None.

Absent—Senators Dufur, Morrow, Mulkey, Proebstel and Smith—5.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 195. Senator Kuykendall (by unanimous consent, by request). A bill for an act to provide for the recording of certified copies of deeds, mortgages, etc.

Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Morrow, Proebstel and Smith—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 196. Senator Fulton (by unanimous consent, by request). A bill for an act to authorize county officers to sell property assessed for delinquent taxes.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Morrow, Proebstel and Smith—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Unanimous consent being given, Senator Porter called up senate bill No. 170.

Senator Porter moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Morrow, Proebstel and Smith—4.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Porter, referred to the committee on assessment and taxation.

Unanimous consent being given, Senator Looney called up senate joint resolution No. 9.

On motion of Senator Looney, senate joint resolution No. 9 was referred to the committee on education.

On motion of Senator Fulton, the report of the special committee relating to the Loewenberg contract was taken from the table.

Here the president called Senator Michell to the chair.

On motion of President Taylor, the report was made a special order for Tuesday, January 31, at 2 o'clock p. m.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

MONDAY, JANUARY 30, 1899.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 30, 1899. }

The senate was called to order at 2:30 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Morrow and Proebstel.

The afternoon session was opened with prayer by Rev. Mr. Evans, of Salem.

On motion of Senator Michell, the reading of the journal of Friday's proceedings was dispensed with.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 30, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bills Nos. 93, 98, 148 and 184, beg leave to report the same back to the senate as correctly engrossed.

JNO. D. DALY,
Chairman.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 30, 1899. }

Mr. President:

Your committee on enrolled bills, to whom was referred senate joint memorial No. 2, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

House bill No. 125 coming on for first reading, Senator Patterson moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 130 coming on for first reading, Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 5 was read first time and passed to second reading without question.

House bill No. 7 coming on for first reading, Senator Mulkey moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 26 was read first time and passed to second reading without question.

House bill No. 162 was read first time and passed to second reading without question.

Senator Harmon moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Smith and Wade—26.

Nays—Senator Selling and Mr. President—2.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Harmon, referred to the committee on judiciary.

House bill No. 116 was read first time and passed to second reading without question.

House bill No. 53 coming on for first reading, Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 37 coming on for first reading, Senator Wade moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 14 coming on for first reading, Senator Selling moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 110 coming on for first reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 71 was read first time and passed to second reading without question.

House bill No. 68 coming on for first reading, Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 67 coming on for first reading, Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 55 coming on for first reading, Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 19 coming on for first reading, Senator Mackay moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Kelly, Morrow and Proebstel—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 21 coming on for first reading, Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President — 27.

Nays — None.

Absent — Senators Kelly, Morrow and Proebstel — 3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 48 coming on for first reading, Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President — 27.

Nays — None.

Absent — Senators Morrow, Proebstel and Kelly — 3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 170 coming on for first reading, Senator Daly of Benton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Morrow and Proebstel — 2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 286 coming on for first reading, Senator Cameron moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Has-

eltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 38 coming on for first reading, Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Mackay moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Smith, Wade and Mr. President—26

Nays—Senators Clem and Selling—2.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only.

On motion of Senator Mackay, the bill was referred to the committee on commerce and navigation with leave to report at any time.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 30, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bill No. 97.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 118 coming on for first reading, Senator Mitchell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 128 was read first time and passed to second reading without question.

The president announced that he was about to sign house bill No. 97, and soon thereafter stated that he had signed the same.

House bill No. 329 was read first time and passed to second reading without question.

House bill No. 252 coming on for first reading, Senator Cameron moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 40 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Driver, Fulton, Harmon, Haseltine, Josephi, Kuykendall, Mackay, Mitchell, Patterson, Porter, Reed and Mr. President—17.

Nays—Senators Clem, Daly of Lake, Dufur, Haines, Howe, Looney, Mulkey, Selling, Smith and Wade—10.

Absent—Senators Kelly, Morrow and Proebstel—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 22 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Kelly, Morrow and Proebstel—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The president submitted senate petition No. 8.

SENATE PETITION. NO. 8.

To the legislative assembly of the state of Oregon:

The undersigned, ex-soldiers and members of J. W. Nesmyth Post No. 32, G. A. R., respectfully petition your honorable body to amend section 2 of an act entitled "An act to establish the soldiers' home, and to make an appropriation therefor," approved February 21, 1898, so as to include the wives and widows of said discharged ex-soldiers, sailors or marines who may desire the benefits of said act in common with the other beneficiaries named in said act.

(Signed by many citizens.)

Senate petition No. 8 was referred to the committee on revision of laws.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 30, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 153, a bill for an act to create the county of Wheeler, and to fix the salaries of the officers thereof.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 30, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 41, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Amend section 1, line 2, original bill, by striking out the figures " $\frac{1}{2}$ " and inserting in lieu thereof the figures "3-5."

AMENDMENT.

Amend section 1 by adding thereto the following:

Provided, however, That in case a remonstrance, signed by a majority of the legal voters of the county, shall be presented to the county court at any time before such court has made an order calling for an election to vote upon the selection of the county seat, such court shall proceed no further in said matter.

AMENDMENT.

Amend section 10 by striking out the word "five," in line 5, original bill, and insert in lieu thereof the word "ten."

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendments were adopted. Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 30, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 10, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Amend section 1, engrossed bill, by adding thereto the following:

Provided, That no warrant shall be issued in a greater sum than \$500; and, *provided, further,* that bids from residents of the county in which the county court receiving bids is holden, shall be preferred to bids from non-residents of the county, if the terms proposed be equal.

AMENDMENT.

Amend section 2, engrossed bill, by inserting after the word "newspaper," in line 4, engrossed bill, the words "of general circulation."

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendments were adopted. Senator Brownell introduced senate petition No. 9.

SENATE PETITION NO. 9.

To the senate and house of representatives of the state of Oregon :

We, the undersigned citizens and taxpayers of Clackamas county, Oregon, petition to the members of the legislature of said county to use their best endeavors to get the law relative to the placing of planks on bridges and culverts changed so as to make the county court place said planks on bridges and culverts, and spike down the same to remain permanent.

(Signed by many citizens.)

Senate petition No. 9 was referred to committee on roads and highways.

Senator Brownell introduced senate petition No. 10.

SENATE PETITION NO. 10.

To the senate and house of representatives of the state of Oregon :

We, the undersigned residents, taxpayers and householders along the line of what is known as the Mount Hood and Barlow road, would respectfully ask that you appoint three commissioners to negotiate and purchase the Mount Hood and Barlow road of the stockholders of said Mount Hood and Barlow Road Company, and turn it over to the public as a free highway over the Cascade mountains.

(Signed by many citizens.)

Senate petition No. 10 was referred to committee on roads and highways.

Unanimous consent being given, Senator Patterson, chairman of committee composed of senators from Washington county, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 30, 1899. }

Your special committee, to whom was referred senate bill No. 91, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

That subdivision five (5) of section five (5) of senate bill No. 91, be amended so as to read as follows:

"To provide the inhabitants of said city with water and light, and to build, construct or purchase, and own and operate a water and light plant, and to sell water and light to the inhabitants of said city, and to fix a schedule of rates and prices to be charged therefor; and for that purpose the city council may issue bonds in any sum not exceeding \$20,000 in addition to the amount already issued."

AMENDMENT.

That subdivision thirty-six (36) of said section five (5) be amended so as to read as follows:

"To grade, pave, plank or otherwise clean and keep in repair streets, alleys and sidewalks, at the expense of the adjacent property owners, and not otherwise; *provided*, street crossings shall be constructed by the city and paid for out of the general funds of said city."

AMENDMENT.

That in subdivision forty-one (41) of said section five (5) be amended as follows:

In line 244 after the word "dogs" strike out the words "found running at large," and insert in lieu thereof the words "kept or owned"; and in line 245 of said section five (5) after the word "city" insert the words "in violation of any ordinance prescribing a license or tax upon dogs."

AMENDMENT.

That subdivision fifty-nine (59) of said section five (5) be amended as follows:

On line 318 of page 13 of said act, add the words "building or constructing of a water or electric light plant, or both, or for the"; also after the word "plant" on line 320, on page 13 of printed bill of said act, add the words "as the city council shall determine."

G. W. PATTERSON,
Chairman.

On motion of Senator Patterson, the amendments were adopted. Senator Haseltine introduced senate joint resolution No. 10.

SENATE JOINT RESOLUTION NO. 10.

Whereas, the press of the state, by publishing the many instructive papers of Henry E. Dosch, in addition to his contributions to the biennial reports of the board of horticulture, the honors and thanks awarded him by the publication of addresses delivered upon invitation by the Dominion fruit growers' convention of British Columbia, and his more recent services under the auspices of the Portland chamber of commerce, in managing the Oregon exhibit at the recent Trans-Mississippi and International Exposition at Omaha, Nebraska, where by his great tact and energy the state of Oregon received honorable mention and valuable recognition for her almost limitless resources of field, forests and mines, as well as for the quality of her grain, fruit, fish, wool and lumber products, receiving, in recognition of

their respective qualities, more important awards than was received by any other state, while extensively advertising the state and securing an immediate increase of exports of shingles, lumber and fruit from Portland, estimated at many times the cost of the exhibit while it was being made; therefore

Resolved, That the thanks of the state of Oregon are hereby tendered to Henry E. Dosch for his services thus rendered, and that this action on the part of the representatives of the people of Oregon be spread upon the journals of the house and senate, respectively, and an engrossed copy thereof be mailed to Henry E. Dosch by the chief clerks of the respective bodies.

On motion of Senator Haseltine, senate joint resolution No. 10 was adopted.

Senator Josephi introduced senate petition No. 11 and senate concurrent resolution No. 4.

SENATE PETITION NO. 11.

Whereas, the Woman's Club of Portland, Oregon, in regular session assembled has declared in favor of the Oregon grape (*Berberis aquifolium*) as the state flower; and

Whereas, said Woman's Club has further resolved to petition your honorable body to give official recognition to said Oregon grape as the state flower; therefore, we the undersigned, the committee of the Woman's Club hereunto appointed, do most respectfully pray that your honorable body may, by appropriate resolution or other legislative act, give fitting recognition to the Oregon grape (*Berberis aquifolium*) as the Oregon state flower, and your petitioners will ever pray.

JANE C. CARD,
ELLA C. LEHIGH,
Committee.

SENATE CONCURRENT RESOLUTION NO. 4.

Be it resolved by the senate, the house concurring, That the Oregon grape (*Berberis aquifolium*) be and is hereby accepted as the Oregon state flower.

On motion of Senator Michell, senate concurrent resolution No. 4 was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 30, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bill No. 181, a bill for an act to incorporate the town of Drain, Douglas county, Oregon.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Haseltine, chairman of the committee on municipal corporations, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

January 30, 1899. }

Mr. President:

Your committee on municipal corporations, to whom was referred senate bill No. 104, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

In line 3 of section 7 of printed bill, after the word "therefor" insert the words "said board of park commissioners."

J. E. HASELTINE,
Chairman.

On motion of Senator Haseltine, the amendment was adopted.

The president announced that he was about to sign house bill No. 181, and soon thereafter announced that he had signed the same.

Unanimous consent being given, Senator Haines, chairman of the special committee composed of the senators from Washington county, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

January 27, 1899. }

Mr. President:

Your special committee, composed of the senators from Washington county, to whom was referred senate bill No. 185, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

E. W. HAINES,
Chairman.

Senator Patterson introduced senate remonstrance No. 1.

SENATE REMONSTRANCE NO. 1.

To the legislative assembly of the state of Oregon:

GENTLEMEN:—The undersigned, members of the bar of Tillamook county, Oregon, most urgently protest against the passage of the proposed senate bill No. —, abolishing the office of one of the circuit judges of the third judicial district. We believe that the labor involved requires more than one judge, that the passage of the bill would be an aspersion upon the district, and we desire above all that the judges of this state may feel that their tenure of office is secure from any attacks founded upon political or personal machinations.

Most respectfully submitted.

(Signed by all the members of the bar except two who are absent).

Senate remonstrance No. 1 was referred to the committee on counties.

Senator Reed introduced senate concurrent resolution No. 5.

SENATE CONCURRENT RESOLUTION NO. 5.

Resolved by the senate, the house concurring, That the secretary of state be instructed to furnish to the state printer for publication, as required by law, true copies of the records of the proceedings of the legislative assembly, as shown by the journals thereof, and the laws, resolutions and memorials passed at this session, the compensation for such transcripts to be such as is prescribed by law for like services in other cases, and such copies of the laws to be furnished within sixty days from the date of the adjournment of this assembly. The original copies of said laws, journals, resolutions and memorials shall be safely kept on file in the office of the secretary of state, as required by law.

On motion of Senator Reed, senate concurrent resolution No. 5 was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 30, 1899.)

Mr. President:

I am directed by the speaker to inform you that he has signed senate joint memorial No. 2, relating to improvement of Yaquina bay.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate joint memorial No. 2, and soon thereafter stated that he had signed the same.

Senator Mulkey, chairman of the committee on assessment and taxation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 30, 1899.)

Mr. President:

Your committee on assessment and taxation, to whom was referred senate bill No. 75, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

In line 1, section 1, strike out the word "shall" and insert in lieu thereof the word "may."

B. F. MULKEY,
Chairman.

On motion of Senator Mulkey, the amendment was adopted.

Senator Mulkey, chairman of the committee on assessment and taxation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 30, 1899.)

Your committee on assessment and taxation, to whom was referred senate bill No. 121, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. F. MULKEY,
Chairman.

Senator Mulkey, chairman of the committee on assessment and taxation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January —, 1899.)

Your committee on assessment and taxation, to whom was referred senate bill No. 144, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. F. MULKEY,
Chairman.

Senate bill No. 197. Senator Mulkey. A bill for an act to amend a law relative to the employment of prisoners.

Senator Mulkey moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 198. Senator Fulton. A bill for an act to amend an act incorporating the city of Astoria.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Fulton moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill read second time by title only, and, on motion of Senator Fulton, considered engrossed and passed to third reading.

Senate bill No. 199. Senator Mackay. A bill for an act to amend section 2333 and 2354 of chapter XI of Hill's annotated laws of Oregon.

Senator Mackay moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Mackay moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Mackay, referred to a special committee consisting of the delegation from Multnomah county.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 30, 1899.

Your committee on engrossed bills, to whom was referred senate bill No. 27, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

On motion of Senator Harmon, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

TUESDAY, JANUARY 31, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 31, 1899.

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senators Morrow and Proebstel.

The morning session was opened with prayer by Rev. Mr. Royal, of Salem, Oregon.

On motion of Senator Haines, the reading of the journal of yesterday's proceedings was dispensed with.

On motion of Senator Smith, the courtesies of the senate were extended to Hon. Geo. H. Chandler, ex-senator from Baker county, and he was invited to a seat within the bar.

Unanimous consent being given, Senator Daly of Lake, chairman of the special committee appointed at the special session, provided under senate concurrent resolution No. 8, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

January —, 1899. }

Mr. President:

The joint committee appointed under senate concurrent resolution No. 8 to investigate the management and condition of the Oregon soldiers' home, beg leave to report:—

That we have made two visits to the home, one in October last, and one in the present month, and have made as careful and painstaking an examination of the condition of the home as possible; that we found the home and surroundings well kept and everything about the building extremely neat and clean; the grounds have been laid out, fronting the home and buildings, in systematic order, and are carefully tended and cared for. The inmates are neatly dressed; the hospital in splendid sanitary condition, and the inmates of the hospital regularly attended upon by the physician and well cared for by the nurses. The greater part of the land belonging to the state has been fully cleared, and under a management as conducted at present will soon produce sufficient fruit and vegetables for the support of the inmates. The complaints brought before us were based upon the following presentments:—

First—The board of trustees for the past three years have failed to work in harmony, and divisions and discord seem to have been carried to such an extent that not only the management of the home is divided, but the inmates also have participated in the division to some extent.

Second—The grand army comprising the post at Roseburg complain of rules 13 and 14, relating to the pensions belonging to the inmates, passed by the board of trustees, which are in substance as follows: That any person admitted to "The Home" drawing a pension shall turn said pension over to the commandant with the exception of \$4 per month to be used by him in such way as he may see fit; the balance to be paid over by the commandant to the dependent relatives or families of such inmate or pensioner, if he have any, and if not, such balance to be applied to the use of "The Home," and earnestly request that these rules to be rescinded and the former rules No. 13 and 14 reinstated.

Third—The present management is in confusion by reason of a majority of the board of trustees placing a matron in charge of the hospital with full power to control the same, and out from under the control of the commandant, especially so far as the management of the inmates are concerned.

These are the principal complaints and all that we deemed worthy of investigation. We have made a careful investigation of these matters, publicly inviting all who wished to come before the committee and make their statements to do so, and have had all these matters under consideration, and after having fully considered the same have arrived at the following conclusions:—

The charge that the board of trustees have not been working in harmony is fully sustained, and to their action is due, in a large measure, all the dissatisfaction existing under all the different conditions. The committee have

carefully examined into the complaint made by the G. A. R. post at Roseburg, of the passage and adoption of rules 13 and 14 outlined above, and request that the rules formerly in force requiring the pension to be returned to the inmate upon his leaving the home be reinstated, and find that the action of the board in changing the rules above referred to has been the principal grounds for complaint made outside of the inmates who are interested parties in this matter. The main and only serious friction within the walls of the home buildings is caused by the taking away of the power of the commandant to fully control the institution, which has certainly been done when the board of trustees placed another party in control of the hospital, thereby restricting the authority of the commandant and making it impossible for him to fully control the institution. In this connection, however, we wish to state that not a word of complaint against the commandant, Gen. W. H. Byars, was uttered by any of the inmates of the home nor by any old soldier or citizen. It would, we think, be difficult to find another man whose management of the home and treatment of those under his care, under the conditions which have existed, who would have given as general satisfaction as General Byars.

In addition to this, under the efficient management of the home by General Byars as commandant he has saved a sufficient amount from the appropriations during his term to build the hospital as at present used, and a further sum has been saved sufficient to build a neat chapel and enlarge the hospital to meet the present requirements.

RECOMMENDATIONS.

We would therefore report the following recommendations for the consideration of the senate:—

That the law creating the board of trustees under which the management of the affairs of the home have been controlled since its beginning be repealed, and instead thereof a law be passed with the provisions that the governor shall have supervision over and shall prescribe the rules for the management of the home with full appointing power. This we deem necessary for the reason that the past management of the home has proven that a board of trustees is more likely to create a division than preserve harmony.

That the plans already formulated for the construction of a chapel and the building of an addition to the hospital sufficient to meet the requirements that is now made for the proper care of the sick and disabled inmates be carried out, and such improvements made at once.

In the matter of retaining the pensions of the inmates in excess of a sufficient sum for their use, we, in order to fully inquire into the propriety of controlling the pensions, appointed a subcommittee from our number, consisting of Representatives Maxwell, Hall and Gray, who made a special and thorough investigation of the matter, and acting upon their conclusions we would recommend that the following enactment be passed:—

That all soldiers upon being received in the home as inmates be required to turn over to the commandant of the home all pension money received by them except the sum of \$4 per month, said money to be by him retained and paid over to the dependent relatives of the inmates, and if no such relatives are found, then the money so retained to be by the commandant turned into the general fund for the support of "The Home"; and would further recommend that the words "dependent relatives" shall be construed to mean the wife or children, father or mother of the inmate.

That in view of the serious divisions and unsatisfactory management of "The Home" by a majority of the board of trustees which has manifested itself from, as we believe, the board first appointed up to the present, who have framed a bill, amending in certain lines the former acts passed by the legislature regulating the management of "The Home," the body of said bill being as follows:—

Section 1. That there is hereby established in the state of Oregon an institution of the name and style of 'The Oregon Soldiers' Home, which shall be under the supervision and management of the governor as hereinafter provided.

Section 2. The object of the soldiers' home shall be to provide a home for all honorably discharged ex-soldiers, sailors or marines who served in the army or navy of the United States during the War of the Rebellion, Mexican or Indian wars of Oregon, Washington and Idaho, who are now or may hereafter become citizens of the state of Oregon, who by reason of wound, disease, old age or infirmities, are unable to earn their living and have no adequate means of support.

Section 3. The governor shall have the general supervision over and shall prescribe the rules for the government and management of said soldiers' home, and shall make all needful bylaws and regulations governing the admission, maintenance and discharge of the inmates of said home, which shall not be inconsistent with the spirit and provisions of this act. He shall appoint a commandant for said soldiers' home, and upon the nomination of such commandant such necessary officials and employés as may be required; and any such subordinate official or employé may be suspended by said commandant for inefficiency or misconduct; but in case of a suspension of any such official or employé, a statement of the case shall be reported by the commandant to the governor who shall offer such suspended official or employé a hearing, and whose action thereon shall be final.

Section 4. The commandant and all subordinate officials of said Oregon soldiers' home shall preferably be honorably discharged ex-soldiers, sailors or marines.

Section 5. Said commandant shall appoint an adjutant, subject to the approval of the governor, who shall perform his duties under such regulations and restrictions as may be prescribed by the bylaws and not inconsistent with the provisions of this act. He shall also act as secretary and keep all accounts pertaining to said soldiers' home under such rules and regulations as may be established for its government.

Section 6. The state treasurer is hereby directed and required to place to the credit of the Oregon soldiers' home maintenance fund, all sums received heretofore, or that may be received hereafter by him from the general government in consequence thereof, and on account of the establishment and maintenance of said soldiers' home by the state; the state treasurer is hereby authorized and designated as the proper and lawful officer of the state to receive and receipt for all sums hereafter to be due and paid by the general government on account of the maintenance and care of the inmates of the Oregon soldiers' home.

Section 7. All vouchers given for supplies for said soldiers' home, or for services rendered, the same to be paid by warrants drawn on said national fund, shall be paid by the state treasurer on warrants drawn by the secretary of state; *provided*, that all vouchers, whether drawn upon the national fund or state fund, shall be approved by the governor before being audited by the secretary of state.

Section 8. There shall be paid out of the general fund annually hereafter the sum of \$10,000 for the purpose of carrying out the provisions of this act.

Section 9. Said soldiers' home shall at all times be subject to inspection of the board of managers of the national home for disabled volunteer soldiers, under such regulations as shall be made for its government.

Section 10. The commandant shall receive an annual salary of \$750; the matron of the home an annual salary of \$300; the adjutant shall receive an annual salary of \$300; the matron of the hospital shall receive an annual salary of \$300, and the physician at the hospital shall receive an annual salary of \$360.

Section 11. Application for admission to the soldiers' home shall hereafter be made to the county judge of the county in which the applicant

resides, on blank forms approved by the governor, and the applicant shall furnish said county judge the sworn statement of two residents of said county that they are well acquainted with the applicant and know him to be the person he claims to be, and that he is a citizen of Oregon and a resident of said county, and that he, to their knowledge, does not possess the means of support, and that he is not able to earn a living by manual labor, and that he is a worthy and proper person to be cared for in said home. Such statements and endorsements of said county judge as to their genuineness shall be made a part of the application for admission to said home.

Section 12. The commandant of said home shall, on the first Monday of January, 1901, and on the same day of every alternate year thereafter, make a report to the governor containing a full statement of the condition of the institution, its receipts and expenditures and the addition in improvements, if any necessary, for its proper care and maintenance.

Section 13. The governor shall visit and inspect the soldiers' home at least four times a year, and as much oftener as he shall deem necessary.

Section 14. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Section 15. Inasmuch as an immediate change should be made in the management of the home, this act shall take effect and be in force from and after its approval by the governor.

We have placed the same in the hands of Senator Reed to be introduced in the senate by him. We would recommend the passage of the bill as embodied herein, believing that by its provisions the serious controversies which have heretofore existed will be forever set aside, the old soldiers' interests more faithfully considered, the affairs of the home brought within the lines of harmony, and the citizens relieved of the disagreeable burden of public contention and dissatisfaction and of personal differences.

Respectfully submitted,

B. DALY, Chairman.
A. W. REED.
J. W. MAXWELL.
WM. F. GRAY.

(On motion of Senator Daly of Lake, the report was adopted and two hundred and forty copies of the report ordered printed.

Senator Selling moved that the vote whereby the senate passed senate concurrent resolution No. 5 be reconsidered.

The motion prevailed.

On motion of Senator Selling, senate concurrent resolution No. 5 was laid on the table.

Senate bill No. 200. Senator Reed. A bill for an act to amend an act relating to the soldiers' home, and to provide an emergency.

Senator Reed moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President — 26.

Nays — None.

Absent—Senators Dufur, Kelly, Morrow and Proebstel—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

Jannary 31, 1899.

Your committee on engrossed bills, to whom was referred senate bills Nos. 14, 36, 69, 102, 107, 108, 109, 120, 122, 124, 127, 132, 134 and 175, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senate bill No. 201. Senator Kuykendall (by request). A bill for an act to provide an additional judge for the second judicial district.

Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Kelly, Morrow and Proebstel—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 202. Senator Mulkey. A bill for an act to create the office of recorder of Polk county.

The bill was read first time and passed to second reading without question.

Senator Mulkey moved that the rules be suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Smith, Wade and Mr. President—26.

Nays—Senator Selling.

Absent—Senators Kelly, Morrow and Proebstel—3.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Mulkey, referred to the committee on revision of laws.

Senate bill No. 203. Senator Josephi. A bill for an act to amend sections 2 and 3 of an act approved February 25, 1895, relating to salaries of county clerks, county recorders, etc.

Senator Josephi moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Josephi moved that the rules be suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Josephi, the bill was referred to a special committee consisting of the senators from Multnomah county.

Senate bill No. 204. Senator Fulton. A bill for an act for the protection of trout.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

On motion of Senator Kuykendall, 240 extra copies of senate bill No. 191 were ordered printed for the use of the senate.

Senate bill No. 205. Senator Fulton. A bill for an act to abolish the office of county recorder for Clatsop county.

The bill was read first time and passed to second reading without question.

Senator Fulton moved that the rules be suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Fulton, considered engrossed and passed to third reading.

Senate bill No. 206. Senator Mulkey. A bill for an act regulating tax collections.

The bill was read first time and passed to second reading without question.

Senate bill No. 207. Senator Looney. A bill for an act to better provide for the enforcement of judgments and decrees.

Senator Looney moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Unanimous consent being given, Senator Looney introduced senate joint memorial No. 3.

SENATE JOINT MEMORIAL NO. 3.

To the legislative assembly of the state of Oregon:

GENTLEMEN :—Your memorialists, a committee representing the Catholic Ladies' Social and Relief Society, a society organized for charitable work in the city of Salem, would respectfully call your attention to what is considered an unfortunate condition, and ask your earnest consideration toward remedying it.

In the state penitentiary there are now confined three female prisoners, and from time to time in its history such has been the case—crime requiring retribution has invaded the ranks of womanhood. Connected with that institution there is no provision made whereby female prisoners can obtain any exercise, or even fresh air. They are compelled to endure from day to day solitary confinement, with no work, employment, or opportunity to relieve the terrible monotony or breathe the pure air outside the prison cells. The result in many cases is what might be expected. The victims degenerate in body and mind until insanity or death overtake them.

The superintendent of the penitentiary, in his reports of both 1895 and 1898, has called your attention to this condition of affairs with reference to these prisoners, and has made suggestions looking to the improvement of their surroundings.

We appeal to you in the name of humanity that his recommendation receive your attention, and your memorialists further pray that this matter may be made the subject of deliberation, and that your honorable body may provide some suitable arrangements whereby an exercise ground may be constructed for female convicts, and some suitable employment may be given them, so that their incarceration may not be a living entombment.

Most respectfully,

MRS. E. N. EDES,
MRS. FRANK DAVEY,
MRS. J. B. BENOIT,
Committee.

Senate joint memorial No. 3 was referred to the committee on penal institutions.

Senate bill No. 208. Senator Fulton. A bill for an act to prohibit the laying out of any county road at a greater grade than seven per cent., and provide for working roads.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 153 coming on for second reading, Senator Wade moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and referred to the committee on railroads.

Senate bill No. 154 coming on for second reading, Senator Michell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and referred to the committee on judiciary.

Senate bill No. 155 coming on for second reading, Senator Dufur moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and referred to the committee on judiciary.

Senate bill No. 156 coming on for second reading, Senator Mulkey moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Hasel-

tine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and referred to the committee on elections.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 31, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 48, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Amend section 1 by adding thereto the following:

Provided, that the provisions of this act shall not apply within incorporated cities which impose a tax or license on dogs.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendment was adopted.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 31, 1899. }

Your committee on judiciary, to whom was referred house joint resolution No. 3 and senate joint resolution No. 7, having had the same under consideration, respectfully report and recommend that the senate do not concur in the adoption of house joint resolution No. 3, but that instead of concurring in the adoption of said house joint resolution No. 3 the senate adopt senate joint resolution No. 7, with the following amendments:

AMENDMENT.

First—Immediately after the title of the resolution insert the following:

Resolved by the senate, the house concurring, That the following amendment to the constitution of the state of Oregon be, and is hereby proposed, that is to say:

That section 15 of article V of the constitution of the state of Oregon be abrogated, and the following be substituted therefor:

Second — Strike out the word "present" in line 7 of page 2 of the original resolution, and insert in lieu thereof the word "lay".

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendment was adopted.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 31, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 220, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, house bill No. 220 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Porter, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Clem, Morrow, Mulkey, Patterson and Proebstel—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 30, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has concurred in senate joint memorial No. 1, pertaining to forfeiture of Northern Pacific land grant.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 30, 1899.

Your committee on judiciary, to whom was referred senate bill No. 145, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass, for the reason that the object sought to be accomplished by this bill seems to have been fully provided by section 3568 of chapter L, Hill's code.

C. W. FULTON,
Chairman.

The report was laid on the table, to be called up at any time.
Senator Smith was called to the chair.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 30, 1899.

Your committee on judiciary, to whom was referred senate bill No. 115, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 30, 1899.

Your committee on judiciary, to whom was referred house bill No. 162, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Amend said bill by striking out section 2, and inserting in lieu thereof the following:

Section 2. Inasmuch as the public health is being endangered by reason of there being no health officer provided for by law to reside at the port of Bandon aforesaid, this act shall be in force and take effect from and after its approval by the governor.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendment was adopted.
President Taylor resumed the chair.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 30, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 182, a bill for an act pertaining to salaries of certain officers in Tillamook county.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER, }
SALEM, Oregon, }
January 30, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 142, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

Amend section 2 of printed bill as follows:

AMENDMENT.

By striking out all that portion thereof beginning with the word "when" in line 9, and ending with the word "also" in line 12, both words inclusive, inserting in lieu thereof the word "to".

AMENDMENT.

By striking out all that portion of said section beginning with the word "and," in line 18 of the printed bill, and ending with the word "recorded," in the same line, both words inclusive.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendments were adopted.
Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 31, 1899 }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 29, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Amend section 1 by inserting between the words "section 1" in line 1, printed bill, and the word "a" in the same line, the following words: "At the general election to be held in the year 1900, and every two years thereafter."

Add the following section to said bill, namely, section 14:

This act shall go into effect on the first Monday in June.

The provisions of this act shall not apply to any prosecuting attorney now in office, and all prosecuting attorneys now in office shall continue to hold their respective offices until the expiration of their respective terms of office as now provided by law.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendments were adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 31, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has ordered that senate joint resolution No. 7, of 1895, pertaining to woman's suffrage, be sent to you.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Fulton, senate joint resolution No. 7, of 1895, was made a special order for 3:30 p. m. today.

Unanimous consent being given, Senator Selling, chairman of the committee on commerce and navigation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 30, 1899. }

Mr. President:

Your committee on commerce and navigation, to whom was referred senate bill No. 78, beg leave to report that we have had the same under

consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment :

AMENDMENT.

In section 5, line 7 of printed bill, strike out the words "five dollars" and figures "\$5," and insert in lieu thereof the words "six dollars" and figures "\$6." After line 16 of section 5 add the following: For the clerk of the president of the senate five dollars (\$5) per day. For the clerk of the speaker of the house five dollars per day. Strike out all of section 6. Change the numbers of the sections following section 5 so that all the numbers of the sections of the bill will be consecutive.

BEN. SELLING.
Chairman.

On motion of Senator Mulkey, the amendment was adopted.
Unanimous consent being given, Senator Mulkey introduced senate joint resolution No. 11.

SENATE JOINT RESOLUTION NO. 11.

Resolved by the senate, the house concurring, That the following amendment to the constitution of the state of Oregon be, and is hereby proposed :

AMENDMENT.

Section 1. That article XII, of the constitution of the state of Oregon, be and the same is hereby abrogated.

Senate joint resolution No. 11 was referred to the committee on judiciary.

On motion of Senator Smith, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 31, 1899. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Morrow and Proebstel.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 31, 1899. }

Mr. President :

I am directed by the speaker to inform you that the house has concurred in senate resolution No. 4.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

The consideration of the report of the special committee relating to the Loewenberg contract being made a special order for 2 o'clock p. m. today, Senator Fulton moved the adoption of the following amendments:

1. Strike out of line 160 the words "cash or its equivalents" and insert the words "not less than \$10,000 in cash, the balance in notes secured satisfactorily to the board."

2. Strike out in line 160 the words "March 1" and insert in its stead, "February 10."

Senator Michell moved the adoption of the following substitute as a report of the committee:

Whereas, at the special session of the legislature, the governor, in his message, referred to the disposition of the matters arising out of the Loewenberg contract with the state, relating to the manufacture of stoves at the penitentiary, to the legislature; and,

Whereas, under the house concurrent resolution No. 6, a committee was appointed to investigate said contract and to report to the legislature; and,

Whereas, such committee was appointed, made due investigation, and at the opening of this session reported to the legislature its findings of fact relating to this matter, also its recommendations; therefore be it

Resolved by the senate, the house concurring, That the report of the committee be adopted, and that the state board of managers be, and it is hereby instructed to settle the indebtedness due under said contract to January 1, 1899, at the amount set out in said report, to-wit: the sum of thirty-two thousand and five hundred dollars (\$32,500), and make arrangements for the payment thereof as may be for the best interests of the state; *provided*, that not less than ten thousand dollars (\$10,000) thereof shall be paid in cash on or before February 10, 1899.

Senator Selling moved to amend the substitute by inserting February 10 instead of March 1.

The motion prevailed.

Senator Mulkey moved to strike out "\$10,000," and insert the words "all in cash."

The motion was lost.

The motion for the adoption of the substitute being put, the motion was lost.

On motion of Senator Fulton, the report as amended was adopted.

Senate bill No. 209. Senator Adams (by unanimous consent, by request). A bill for an act to assist in the erection of a building at Silverton, Oregon, known as the Liberal University building.

Senator Adams moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 157 coming on for second reading, on motion of Senator Fulton, was indefinitely postponed.

Senate bill No. 158 coming on for second reading, Senator Dufur moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on assessment and taxation.

Senate bill No. 161 coming on for second reading, Senator Bates moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Mitchell, referred to the committee on judiciary.

Senate bill No. 162 coming on for second reading was read second time and referred to the committee on medicine, pharmacy and dentistry.

Senate bill No. 164 coming on for second reading, Senator Smith moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Smith, referred to the committee on revision of laws.

Senate bill No. 165 coming on for second reading, Senator Smith moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and on motion of Senator Smith, referred to the committee on revision of laws.

Senate bill No. 166 coming on for second reading, Senator Patterson moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senate bill No. 167 coming on for second reading, Senator Michell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Michell, referred to the committee on judiciary.

On motion of Senator Dufur, the courtesies of the senate were extended to Hon. B. F. Huntington, and he was invited to a seat within the bar.

Senate bill No. 171 coming on for second reading, Senator Harmon moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Harmon, referred to the committee on fishing industries.

Senate bill No. 172 coming on for second reading was read second time and referred to the committee on medicine, pharmacy and dentistry.

On motion of Senator Mulkey, the courtesies of the senate were extended to Hon. M. S. Woodcock, and he was invited to a seat within the bar.

Senate bill No. 173 coming on for second reading, Senator Patterson moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senate bill No. 176 coming on for second reading was read second time and referred to the committee on judiciary.

Senate bill No. 179 coming on for second reading, Senator Harmon moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on railroads.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 31, 1899.

Your committee on engrossed bills, to whom was referred senate bills Nos. 17, 41, 59, 75, 79, 104, 114, 116 and 144, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senate bill No. 178 coming on for second reading, Senator Fulton move that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent — Senators Morrow and Proebstel — 2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on printing.

Senate bill No. 180 coming on for second reading was read second time, and, on motion of Senator Michell, referred to the committee on judiciary.

Unanimous consent being given, Senator Looney, chairman of the committee on agriculture and forestry, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President :

January 31, 1899. }

Your committee on agriculture and forestry, to whom was referred senate bill No. 55, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the following substitute do pass.

N. H. LOONEY,
Chairman.

The substitute taking the number of senate bill No. 210. A bill for an act to provide for the election of an Oregon food and dairy commissioner.

Senator Selling moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent — Senators Morrow and Proebstel — 2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Mulkey moved that when the senate adjourn it adjourn to meet at 8 o'clock p. m. today.

The motion was lost.

Senator Daly of Benton moved that when the senate adjourn it adjourn to convene at 8 o'clock p. m. Wednesday.

The motion was lost.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 31, 1899.

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 4, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Amend by striking out the word "twice" and inserting the word "two and a half times" in line 10 of the original bill.

PERCY R. KELLY,
Chairman.

On motion of Senator Kelly, the amendment was adopted.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 31, 1899.

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 56, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

PERCY R. KELLY,
Chairman.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 31, 1899.

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 58, beg leave to report that we have had the same under consideration,

and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment :

AMENDMENT.

Strike out the words "the adjournment of the term of court at which a" in lines 1 and 2 of section 2 of the engrossed copy of said bill, and insert instead the words "giving of the oral."

PERCY R. KELLY.
Chairman.

On motion of Senator Kelly, the amendment was adopted.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
January 31, 1899. }

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 90, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass, for the reason that the buildings comprising the Oregon soldiers' home are inadequate to meet the requirements of the proposed act, and a large appropriation would be necessary to carry the provisions of said act into effect.

PERCY R. KELLY,
Chairman.

Senator Selling moved that when the senate adjourn it adjourn to meet at 8 o'clock p. m. today.

The motion prevailed.

Unanimous consent being given, Senator Kelly, chairman of the committee on revisions of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
January 31, 1899. }

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 119, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

PERCY R. KELLY,
Chairman.

Unanimous consent being given, Senator Daly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

January 31, 1899. }

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No 202, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

PERCY R. KELLY,
Chairman.

Unanimous consent being given, Senator Kuykendall, chairman of the committee on education, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

January 31, 1899. }

Mr. President:

Your committee on education, to whom was referred senate bill No. 3, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

In doing so we would represent that your committee found after careful investigation that it was unable to recommend the passage of the bill, for the reason that it does not give that full and thorough revision of the school laws of the state which was intended when the committee which presented the bill was appointed. The present school law is the incongruous result of frequent amendments, and we believe that it was the purpose of the legislature, in appointing a special committee to revise those laws, that there should be such revision and rewriting of those laws as to make a consistent, harmonious, and easily intelligible code of school laws for the state. While the work of the special committee has been most admirable in reforming the diploma and certificate abuse, and remedying certain other defects of the law, we find that if senate bill No. 3 were enacted into a law we would still have many incongruities in the law, and it would be impossible for the school laws of Oregon to be so codified as to present the harmonious and easily understood code of laws that was the original purpose of the legislature. Your committee would respectfully represent that they have embodied in senate bill No. 194 their ideas of what is at this time needed in the way of revision of the school laws of Oregon. They have in this bill utilized the labors of the special committee, and have in most instances adopted their findings on vital questions.

On the question of the selection of textbooks, we are unable to agree to recommend the provisions of senate bill No. 3. Inasmuch as this is made a separate bill, when it may be discussed on its own merits, senate bill No. 194 does not deal with the question of textbooks, but is otherwise a complete code of the school laws of Oregon.

Because senate bill No. 3 is the work of a special committee of both houses, who have devoted to it much time and attention, we have decided not to report it adversely. Out of respect to the committee we have thought it best to return the bill to the senate for such action as may be deemed wise and expedient.

W. KUYKENDALL,
Chairman.

On motion of Senator Mulkey, senate bill No. 3 was recommitted to the committee on education with instructions to incorporate amendments.

Unanimous consent being given, Senator Kuykendall, chairman of the committee on education, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

January 31, 1899. }

Mr. President:

Your committee on education, to whom was referred senate joint resolution No. 9, respectfully report it back to the senate with the recommendation that it be adopted.

We have visited the property it is proposed to trade to the state for the three lots occupied by the Salem hospital, and find it to consist of a full block of something more than three acres of ground immediately adjoining the present site of the state blind school. About one-half of the said block is bottom land and is now covered by a thrifty young prune orchard, while the other half is high gravelly ground admirably adapted for a site for a public building. In our opinion the property it is proposed to trade to the state will be of much greater value than that now owned by the state and occupied by the Salem hospital. We therefore recommend that the resolution be adopted.

W. KUYKENDALL,
Chairman.

Senator Kuykendall moved that the report be adopted.

Senate joint resolution No. 7 of the session of 1895 having been made a special order for 3:30 p. m. today, and that hour having arrived, Senator Mulkey moved that a committee of two be appointed to wait upon Mrs. Abigail Scott Dunniway and extend to her an invitation to address the senate upon the resolution.

The motion prevailed, and the president appointed Senators Mulkey and Porter to wait upon Mrs. Dunniway and ascertain her pleasure.

Senators Mulkey and Porter escorted Mrs. Dunniway within the bar and she addressed the senate.

Senator Fulton moved the adoption of senate joint resolution No. 7 of 1895.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Hastelne, Josephi, Kelly, Kuykendall, Looney, Mackay, Mulkey, Patterson, Porter, Reed, Selling, Smith and Wade—25.

Nays—Mr. President.

Absent—Senators Howe, Michell, Morrow and Proebstel—4.

So senate joint resolution No. 7 of 1895, was adopted.

On motion of Senator Selling, senate joint resolution No. 9 was made a special order for Thursday, February 2, at 10 o'clock a. m. Senate bill No. 141 was read third time.

On motion of Senator Fulton, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

EVENING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 31, 1899. }

The senate was called to order at 8 p. m. by the president, pursuant to adjournment.

The roll was called, and all the senators were present except Senators Morrow and Proebstel.

On motion of Senator Mackay, the courtesies of the senate were extended to Hon. D. P. Thompson, and he was invited to a seat within the bar.

Senate bill No. 141 coming up for further consideration, Senator Kuykendall moved that the bill be recommitted to the committee on engrossed bills, with instruction to consider the amendment.

The motion was lost.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Selling, Smith, Wade and Mr. President—22.

Nays—Senators Brownell, Clem, Kelly, Patterson, Porter and Reed—6.

Absent—Senators Morrow and Proebstel—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Fulton moved that when the senate adjourn it adjourn to meet at 8 o'clock p. m. Wednesday.

The motion prevailed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 31, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 81, a bill for an act to regulate the business of a barber.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 31, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate joint memorial No. 1.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 31, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 16, a bill for an act requiring the deposit of money for the purpose of paying jurors' fees.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 31, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 122, a bill for an act to regulate the driving of fish trap spiles.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 31, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 18, a bill for an act requiring towns and cities to submit proposed charters or amendments thereto to a vote of the people.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 31, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 92, a bill for an act for the relief of Lake county.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 31, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 15, a bill for an act to provide for prosecution upon information.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 31, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 25, a bill for an act to amend an act creating the office of attorney-general.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 31, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 13, a bill for an act to regulate sturgeon fishing.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 31, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 30, a bill for an act to allow executors or administrators to complete the written contracts of decedants.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 31, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 131, a bill for an act to promote the beet sugar industry.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 31, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bill No. 309.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate joint memorial No. 1 and house bill No. 309, and soon thereafter announced that he had signed the same.

MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 31, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 33, a bill for an act relating to attachments.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER, }
SALEM, Oregon, }
January 31, 1899. }

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 164, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

PERCY R. KELLY,
Chairman.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER, }
SALEM, Oregon, }
January 31, 1899. }

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 165, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

After the word "is," in line 1 of section 6, insert the words "or may hereafter be."

AMENDMENT.

After the word "is," in line 5 of section 6, insert the words "or may hereafter be."

PERCY R. KELLY,
Chairman.

On motion of Senator Kelly, the amendments were adopted.

Unanimous consent being given, Senator Haseltine chairman of the committee on municipal corporations, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 26, 1899. }

Your committee on municipal corporations, to whom was referred senate bill No. 177, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Amend by striking out sections 4, 5 and 6 of said act, and inserting in lieu thereof the following:

Section 4. That section 37 of chapter 5 of said act be and the same is hereby amended so as to read as follows:

Sec. 37. The council has power and authority within the city of Brownsville:

1. To make bylaws and ordinances not repugnant to the laws of this state or of the United States.

2. To assess, levy and collect taxes for general municipal purposes on all property, real and personal, within the city limits, which is taxable by law for state or county purposes. Said taxes shall not exceed five mills on the dollar per annum.

3. To prevent, remove and abate nuisances by general ordinance; to define what shall constitute any nuisance, and to make the expense of abating or removing such nuisance a lien upon the property where such nuisance exists, when the owner or occupant thereof is the author or continuer of such nuisance; to provide for the filling or draining of any lots of (or) blocks wherever stagnant water stands, and to make the costs thereof a lien upon the property, but in such case the same must be reported to the council and the necessity of the same be declared by them; and if after five days' notice thereof, or such notice as may, in the judgment of the council, be reasonable under all circumstances of the particular case, so to be given to the owner or owners of such lots or tract, or his or their agent or agents, such owner or owners fail or refuse to fill up or drain the same, then the work of filling or draining of such lot or lots, or block, or tract or tracts, must be let to the lowest bidder, and the costs thereof made a lien upon such lots or blocks or tracts, and collected in like manner as street improvements, as hereinafter provided in this act.

4. To make regulations to prevent the introduction of contagious or other diseases in the city, or to remove persons afflicted with such diseases therefrom to suitable hospitals provided by the city for that purpose; to secure the protection of persons and property therein, and to provide for the health, cleanliness, ornament, peace and good order of the city; to regulate the plumbing and draining of buildings, and to provide for the registration of plumbers; to appoint an officer to supervise and inspect all such plumbing and draining, with such powers as may be deemed expedient by the common council; to fix the compensation of such officer, and to prescribe his tenure of office; to make effectual such regulations as the common council may deem it expedient to pass, by providing penalties for the breach of any of the provisions thereof, and to make such sanitary regulations as to the common council may seem proper.

5. To license, tax, regulate and restrain theatrical shows and other exhibitions and amusements.

6. To license, tax and regulate auctioneers, brokers, drummers, hawkers, peddlers, pawnbrokers, itinerant venders of drugs, patent medicines and other nostrums, hotel, tavern and boarding-house keepers and runners, junk dealers, dealers in secondhand articles or merchandise, the keeping of billiard tables, bowling alleys and shooting galleries, and for the purpose of this act to define and declare what constitutes any of such professions, callings or employments.

7. To suppress and prohibit dancehouses where dancing is permitted or carried on independent of or connected in any manner with any other business, and declare by general ordinance what shall constitute the same; also, to punish by fine or imprisonment, or both, any person owning or controlling any house or building who uses the same, or knowingly permits it to be used as a public dancehouse.

8. To suppress, restrain and prohibit bawdy and assignation houses, houses of ill-fame and prostitution, gaming and gambling houses, gaming and gambling, or model artists, exhibitions and other shows of an immoral nature, and to define and declare by ordinance what shall constitute the same; to punish by fine or imprisonment, or both, any person who, owning, controlling or being in possession of any house or building, or room or rooms therein, uses the same or any part thereof, or knowingly permits the same or any part thereof to be used as a bawdy or assignation house, or houses of ill-fame or prostitution, a gaming or gambling house, or for model artist exhibition or other shows of an immoral nature; to punish by fine or imprisonment, or both, any and all persons who occupy, visit or resort to such house or houses, and to punish by fine or imprisonment, or both, any person or persons who engage in gaming or gambling, as the case may be defined by ordinance.

9. To tax, license, regulate, restrain and prohibit the sale of spirituous, vinous, fermented or malt liquors, bars, barrooms, drinking shops and tippling houses, billiard tables, pool tables, pigeonhole tables, or any table where balls and cues are used, bowling alleys and shooting galleries; *provided*, each applicant shall, at the time of making application therefor, present to the council a bond in the sum of \$1,000, with two or more sureties, conditioned that he will keep an orderly house and comply with all the requirements of this act and of any ordinance in this behalf passed, and shall pay the fee required therefor, and pay to the city treasurer such sum as may by ordinance be required; *provided further*, that no license for the sale of spirituous, vinous, fermented or malt liquors shall be issued for a sum less than is or may be prescribed by the general laws of the state for the license of the sale of spirituous, vinous, fermented or malt liquors in force at the time of the issuance of such license; *provided further*, that no license shall be issued for less than six months or more than one year; *provided further*, that no license to sell spirituous, vinous, fermented or malt liquors shall be granted to any woman or to any male minor, or to any person who shall permit any woman or girl or male minor to frequent his place of business,

either as guests, servants, waiters, waitresses, dancers, singers, actors or musicians; *and provided further*, that after license to sell spirituous, vinous, fermented or malt liquors shall have been granted, a person to whom it has been granted, or any person or any one in his employ, shall give or sell any such liquors to any common drunkard, or to any intoxicated person, or to any woman or girl, or to any minor, or to any Indian, or shall permit any woman, or girl or minor to frequent, visit or loiter around his place of business either as guest, servant, waiter, waitress, dancer, singer, actor or musician, or shall be found guilty before any court having jurisdiction thereof of violating any of the provisions of any ordinance that is now or may hereafter in this behalf be passed, or the provision of this act, such judgment of conviction shall be a revocation of the license of such person or persons, and such person or persons shall not be granted another license for the period of one year; *provided further*, that the revocation of the license shall not in any manner operate to relieve the person or persons to whom the same has been granted from such penalty or punishment as may by ordinance be prescribed for the violation of any of the provisions of this act or such ordinance. To provide by general ordinance for the punishment by fine or imprisonment, or both, of any person who shall sell, give away, or in any manner dispose of any spirituous, vinous, fermented or malt liquor within the corporate limits without having first obtained a license therefor from the city, as hereinbefore provided, by an ordinance for the punishment by fine or imprisonment, or both, of any person who will sell, give away or in any manner dispose of any spirituous, vinous, fermented or malt liquors to any common drunkard or intoxicated person, to any woman or girl, or to any minor, or to any Indian, or who shall permit or allow any woman, or girl or minor, to frequent, visit or loiter around the place where such spirituous, vinous, fermented or malt liquor is sold, or kept for sale, either as guest, servant, waiter, waitress, dancer, singer, actor or musician.

10. To prevent, prohibit and suppress the keeping of places, houses or rooms where either males or females, adults or minors, are permitted to or indulge in the smoking of opium, and to provide by ordinance for the summary closing of such houses, places or rooms, and the punishment by fine or imprisonment, or both, of the person or persons occupying or keeping such houses, rooms or places for such purposes.

11. To define what shall constitute vagrancy, and provide for the support, restraint, punishment and employment of vagrants and paupers; to prevent the sale, circulation and disposition of obscene literature, including books, papers, prints, pictures and the like, and to punish any person who sells or offers for sale, or who circulates or disposes of any such literature, and to define and declare from time to time what, if any, books, prints, pictures and the like are obscene within the purpose and province of this provision.

12. To provide and maintain either a day or night police, or both.

13. To provide for the prevention and removal of any and all obstructions from public highways, streets, cross and sidewalks, alleys, gutters and sewers, and to provide for the construction, cleaning and repairing of the same, and to compel owners, agents and occupants of land abutting upon streets and alleys to remove obstructions, clean and repair such streets or alleys in front of and abutting upon such property, and to punish such persons as shall refuse so to do.

14. To regulate the speed upon railroads within the corporate limits, and to prevent fast and furious riding or driving upon the streets and alleys therein, and to define what shall constitute the same; to regulate the running or driving of any bicycle, tricycle or other similar wheeled vehicle; to prescribe the width of tires of all drays, trucks, carts and other vehicles, and the weight to be carried thereby, for the preservation of streets and highways.

15. To appropriate money to pay the debts, liabilities and expenditures of the city, or any part or item thereof, from any fund applicable thereto, and to borrow money upon the faith of the city.

16. To compel all prisoners in the city jail, who may be imprisoned for vagancy or for violating any city ordinance, to work on the public streets or public squares during the term of such imprisonment, under the control and direction of the marshal and superintendent of streets, and to provide for the punishment of any person sentenced to such imprisonment who shall refuse to work when ordered, and, if necessary, to provide for securing such prisoner with ball and chain while working.

17. To prevent, restrain and punish by fine or imprisonment, or both, intoxication, fighting and quarreling, assault, assault and battery, and any riot, noises and disturbances, or disorderly assemblage in any street, house or place within the corporate limits, and any and all unlawful and indecent practices, vulgar, indecent, obscene, abusive and profane language, and to define what shall constitute the same.

18. To suppress all unnecessary whistling of locomotives and engines at machine shops and factories, and elsewhere, and to provide for the punishment by fine or imprisonment, or both, of any person or persons doing or causing the same to be done.

19. To license, tax, regulate, restrain and prohibit by general ordinance all car, stage, hotel and other runners within the city limits, and to provide for the punishment by fine or imprisonment, or both, of any person or persons who shall violate any of the provisions of such ordinance.

20. To provide for measuring and weighing hay and wood, and all other commodities bought or sold or offered for sale within the city limits.

21. To regulate the transportation of gunpowder, dynamite, nitroglycerine, and other combustibles through the streets of the city; to regulate the storage of blasting and gunpowder, giant powder, dynamite, nitroglycerine, coal oil, tar, pitch, resin, and all other explosives and combustible materials, and the use of candles, coal oil, gas, electric and other lights and lamps in streets, alleys, stores, shops and other places; to suppress, remove and secure any stove, fireplace, chimney, oven, burner or other apparatus which may be dangerous in causing fires, and to prevent, by all possible and proper means, danger or risk of injury or damage by fire arising from carelessness, negligence or otherwise.

22. To provide for the establishment of market houses and places, and regulate the location of market houses and places of slaughter houses, and to suppress and prohibit the slaughtering of animals within the city limits.

23. To tax, regulate, prohibit and prevent domestic animals from running at large within the city limits, or any portion thereof, and to punish those persons who allow such animals to so run at large; to regulate, prohibit and restrain the driving of stock through the streets; to provide for the taking up and selling of such stock and domestic animals found running at large within the city limits, the time and manner of such sale, and the disposition of the proceeds thereof.

24. To tax dogs and to regulate their running at large within the city limits, and to provide for the impounding, sale and killing of the same, and define what shall constitute a running at large.

25. To prohibit officers of the city from purchasing demands against the city, or orders drawn on the treasurer thereof, for a less amount than that expressed on the face of such demand or order.

26. To impose, collect and appropriate fines, forfeiture and penalties for the breach of any ordinance, but no fines imposed shall exceed \$100, and the imprisonment shall in no case be imposed for a longer term than fifty days.

27. To provide for the survey of the blocks, streets and alleys of this city, and for making and establishing the boundary lines of such blocks, streets and alleys, and for the naming of such streets and alleys.

28. To provide for the prevention and removal of all obstructions in the Calapooia river within the city limits.

29. To establish and regulate fees and compensation of all officers of the city, except when otherwise provided by law.

30. To regulate and prohibit the carrying of deadly or dangerous weapons in a concealed manner, and to provide for the punishment by fine or imprisonment, or both, of any person carrying any dangerous weapon in a concealed manner, and to define by ordinance what shall be deemed a dangerous or deadly weapon, and what shall constitute carrying in a concealed manner.

31. To regulate and prohibit the use of guns, pistols and firearms, firecrackers, bombs and detonating works of all descriptions.

32. To purchase, take and hold real property when sold for a delinquent tax or assessment, or levied or imposed under the authority of the city of Brownsville, and to sell and dispose of the same; to purchase, take and hold real estate for the use of a cemetery, either within or without the corporate limits, or for a public park or parks, either within or without the corporate limits, and to survey, layout and prepare the same for use as a cemetery, and to sell and dispose of such real estate and of such burial lots in such cemetery.

33. By ordinance to tax, license, curtail and regulate washhouses, slaughter houses and public laundries; to define in such ordinance what shall constitute the same; to provide therein for the exclusion of the same from the city limits, or any part thereof, and to provide for the punishment by fine or imprisonment, or both, of any person who shall violate any of the provisions of such ordinances.

34. To protect the public from injury by runaways, by punishing any person who negligently leaves a horse, horses or any other animals, with or without carriages or vehicles attached in the streets or alleys without being securely fastened; to prevent cruelty to animals and to define what shall constitute the same, and provide punishment therefor.

35. To compel by order or resolution, duly made and entered on its journal, all persons erecting or maintaining privies or cesspools within the limits of three blocks of any street in which a sewer has been or may hereafter be constructed, to connect the same therewith, and to determine the manner in which said connection shall be made and the time within which it shall be done.

36. To regulate the opening of street surfaces, the laying of gas and water mains, the building and repairing of sewers, and the erection of gas and other lights.

37. To permit, allow and regulate the laying down of tracks for street cars and railroads upon such street or streets as the council may designate; to regulate and prevent public criers and advertising noises in the streets, and to control and limit traffic on the streets, avenues and public places; to regulate and prohibit the exhibition and hanging of banners and placards of (or) flags in or across the streets or from houses and other buildings; to prevent the exhibition of deformed or crippled persons, and to prohibit such persons from begging on the streets or public places; to establish from time to time such police stations as may be necessary; to regulate the numbering of buildings, houses and lots on the streets and avenues; to provide for the cleaning and sprinkling of streets, and to prohibit persons from roving the streets at unreasonable hours; to regulate the use of streets and sidewalks for the use of signs, signposts, awning posts, telegraph posts, electric light and telephone posts, and other purposes; to allow, authorize, provide for and regulate the erection, maintenance and removal of telegraph, telephone, electric light, electric railway, and other poles, wires and cables and the laying and use of underground conduits or subways for the same in, under, upon or over the streets, alleys or public parks and public grounds of said city, and in, under, over and upon any lands owned or under the control of the city, whether they be inside the limit of said city or not, and to require all such wires and cables to be laid in such conduits or subways when reasonably practicable; *provided*, that nothing herein shall be constructed to impair any franchise heretofore granted by the city of North Brownsville or the town of Brownsville, during the term of said franchise.

The provisions herein shall be carried into effect by ordinance or ordinances for the punishment by fine or imprisonment, or both, of any person who may violate any of the provisions thereof.

38. To license all such lawful callings, trades and employments, as in the judgment of the council the public good may require to be licensed and regulated.

39. To prevent the removing and erection of buildings and erection of awnings within the city limits, which shall be dangerous to passersby, or to adjacent property, or an obstruction to public travel; and in case any building, or awning, or any public street shall become dangerous to passersby, the council shall have power to cause the same to be removed, or made safe at the expense of the property, and the owner of such property, upon five days' notice to the owner thereof, or agent thereof, and to determine by resolution when the same is dangerous. Such expense shall be made a lien upon the property, and shall be collected in the same manner as street improvements.

40. To regulate the use of sidewalks, and prevent the extension of building fronts and house fronts within the street line; but they shall have no power to authorize the placing or continuing of any encroachment or obstruction upon any street or sidewalk, except for temporary use or occupation thereof during the erection or repair of a building upon the adjacent lots, or the display of goods by the occupant of the adjoining building.

41. To license, tax and regulate livery or boarding stables, hacks, cabs, hackneys, carriages, wagons, carts, trucks, drays or other vehicles used for the transportation of persons or passengers, or goods, wares or merchandise, earth, rock, ballast, building material, or other articles within the limits of the city, either in whole or in part, for hire, and to prescribe the rates to be charged for such transportation.

42. To establish fire limits, and to prohibit the erection or repair of wooden buildings within such fire limits, and to restrict and limit the height of buildings within such limits; to provide for and determine the number and size of places of entrance and exit from all public halls, churches and other buildings used for public gatherings, and the modes of hanging doors thereat, and to regulate the plumbing and sewerage of all buildings within the city, and to require adequate fire escapes, apparatus and appliances for protection against fire to be provided in such buildings.

43. To lay out and establish cistern districts; to provide water for cisterns in the district laid out and established; to appoint firewardens; to appoint property guards, prescribe their duties and provide for their compensation, and by ordinance to compel any person present to aid in the extinguishment of fire and in the preservation of property exposed to danger in the time of fire, and by ordinance to exercise such powers as may be necessary on such occasions.

44. To provide by ordinance, resolution or order, for the making, cleaning and repairing of sidewalks at the expense of or by the owners of adjacent lots; but the streets at the several crossings shall be graded, planked or otherwise improved and kept in repair, and the crosswalks and street crossings build and kept in repair at the cost and expense of the city, and such cost and expense shall be paid out of the general fund.

45. To prohibit the giving or selling of intoxicating liquors to common drunkards; to provide punishment therefor, and to define by ordinance what shall constitute a common drunkard, and by resolution to declare who are common drunkards.

46. To provide by ordinance for the punishment by fine or imprisonment, or both, of any person or persons who shall cause or continue any nuisance within the city limits, or suffer any nuisance to exist upon any property occupied or controlled by such person or persons within the city, or in any street or alley contiguous to such property, where the owner or occupant of such property is the author or continuer of such nuisance; to define what shall constitute a nuisance within the meaning of this section or of such ordinance.

47. To establish limits in said city within which no hall or halls shall be kept, and to provide for the punishment by fine or imprisonment, or both, of any person or persons who shall keep any hog or hogs within such limits, or who shall suffer any hog or any poultry to run at large within said city, and to define what shall be deemed a running at large within the meaning of this section or such ordinance.

48. To provide for the punishment of any person or persons who shall sell or offer for sale any unwholesome or adulterated provisions, or unwholesome or diseased meats, and to define what shall constitute such unwholesome or adulterated provisions or unwholesome or diseased meats.

49. To prevent and punish trespassers upon real and personal property.

50. To provide for the erection of a city hall, city jails, houses of correction, workhouses and any other public buildings and for the government and management of the same both within and without the limits of the city.

51. To locate and construct any ditch, canal or pipe for the conduct of water, and any drain, sewer or culvert it may deem necessary or convenient, and for such purposes it shall have the right to enter upon any land between the termini of such ditch, canal or pipe, drain, sewer or culvert for the purpose of examining, locating and surveying the line of said ditch, canal, pipe, drain, sewer or culvert, doing no unnecessary damage thereby, and to appropriate and divert from its natural course or channel, for the purpose of draining or flushing any drain, sewer or culvert, any stream of water.

52. To provide the city with good and wholesome water, and to provide for lighting the city with gas, electricity or other light, and for the erection or purchase of such works, within or without the city limits, as may be necessary or convenient therefor; to provide a fund for constructing and defraying the expenses of the same; *provided, further*, that the council may grant the privilege or franchise of such water and of lighting the streets to any private corporation, person, persons or company of persons, upon such terms and conditions as may be just, but shall not in any instance make such grant exclusive. The council shall have power and authority, and is hereby authorized, to issue negotiable interest-bearing bonds of the city to an amount or sum not exceeding the sum of \$10,000, for the purpose of purchasing, erecting, maintaining and operating a system of waterworks and for the purpose of purchasing, building, constructing and maintaining a system of electric lights, and the balance, if any there remains, of any such sum shall be applied to the construction, building and maintenance of a sewerage system.

53. The council shall not hereafter create any debt or liability which, singly or in the aggregate, shall exceed the sum of \$1,000, except the bonded indebtedness of \$10,000 provided for in the preceding paragraph.

54. To employ an attorney or surveyor when deemed necessary, and to pay the same for their services.

55. To elect a city attorney and provide for his compensation.

56. To prevent and punish persons for riding or driving over any bridge over the Calapooia river in the city at a faster gait than a walk.

57. To construct or purchase, keep, conduct and maintain waterworks of a character and capacity sufficient to furnish the city and the inhabitants thereof with an abundance of good, pure and wholesome water for all uses and purposes necessary for the comfort, convenience and well being of the same, and to that end to acquire, by purchase or otherwise, and own and possess such real and personal property within and without the limits of the city as may be deemed necessary and convenient, and for such purpose to issue and dispose of the bonds of the city, of the denomination of from \$100 to \$1,000, as the purchaser may desire, with interest coupons attached thereto, the par value of which shall not exceed \$10,000, signed by the mayor and countersigned by the recorder, whereby the city shall be held and considered in substance and effect to undertake and promise in consideration of the premises to pay to the bearer of each of the said bonds, at the expira-

tion of such time as the council shall prescribe, not exceeding fifteen years, the sum named therein in gold coin of the United States, together with interest thereon in like gold coin at such rate of interest as (the) council may determine, not to exceed the rate of seven per cent. per annum, payable half-yearly, as provided in such coupons; *provided, however,* that if the city shall have been bonded for electric light works, and in such bonded indebtedness then remain unpaid, the city shall not issue water bonds the par value of which, with the par value of such electric light bonds remaining so unpaid, shall exceed the sum of \$10,000; to employ, hire and discharge from time to time all such agents, workmen, laborers and servants, as it may deem necessary and convenient in the conduct and management of said waterworks, and make all needful rules and regulations for the conduct and management of the same by the city and the inhabitants thereof; establish the rates for the use and consumption of water by the city and the inhabitants thereof, including the people living along the line or in the vicinity of the works without the city, and provide for the payment of water rates monthly in advance, and to shut off the water from any house or tenement or place for which the water rate is not duly paid, or when any rule or regulation is disregarded or disobeyed. All moneys collected from water rates shall be kept separate from all other funds, and shall be known as the water fund, and shall only be used to pay the cost incurred by the city in operating such waterworks and extending and improving the same and to pay the semi-annual interest on bonds issued under this act; and all of the surplus collected from water rates shall go to create a sinking fund with which to pay the principal on such bonds at maturity.

8. To construct or purchase, keep, conduct and maintain electric light works of a character and capacity sufficient to furnish the city and the inhabitants thereof with such lights, and to that end to acquire, by purchase or otherwise, and own and possess such real and personal property within and without the limits of the city as may be deemed necessary and convenient and for such purpose to issue and dispose of the bonds of the city of the denomination of from \$100 to \$1,000, as the purchaser may desire, with interest coupons attached thereto, the par value of which shall not exceed \$10,000, signed by the mayor and countersigned by the recorder, whereby the city shall be held and considered in substance and effect to undertake and promise in consideration of the promises to pay to the bearer of each of said bonds at the expiration of such time as the council shall prescribe, not exceeding fifteen years, the sum named therein gold coin of the United States together with interest thereon in like gold coin at such rate of interest as a council may determine, not to exceed the rate of seven per cent. per annum, payable half yearly, as provided in such coupons; *provided, however,* that if the city shall have been bonded for waterworks, and such bonded indebtedness then remain unpaid, the city shall not issue electric light bonds the par value of which, with the par value of such water bonds remaining so unpaid, shall exceed the sum of \$10,000; to employ, hire and discharge from time to time all such agents, workmen, laborers and servants as it may deem necessary or convenient in the conduct and management of the same by the city and the inhabitants thereof; establish rates for the use of such lights by the city, and the inhabitants thereof, including the people living along the line or in the vicinity of the works without the city, and to provide for the payment of electric light rates monthly in advance, and to shut off such light from any house, building or tenement or place for which the said light rate is not paid, or when any rule is disregarded or disobeyed. All moneys collected from said light rate shall be kept from all other funds, and shall be known as the electric light fund, and shall only be used by the city to pay the costs incurred in operating such electric light works and extending and improving the same, and to pay the semi-annual interest on the bonds issued under this act, and all the surplus collected from electric light rates shall go to create a sinking fund with which to pay the principal on such bonds at maturity.

59. To establish, fix, regulate and control the rate or price for the use of water, gas or electric lights within the limits of the city.

60. To exercise all such power and authority, as may be given to the council by this act, and such additional power and authority as may be necessary and proper to carry into effect the provisions of this act; and to pass all ordinances or resolutions necessary and proper to carry into effect the provisions of this act, and to provide for the punishment of any violation of any ordinance passed pursuant to this act.

Amend sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 by numbering them respectively 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.

J. E. HASELTINE,
Chairman.

On motion of Senator Haseltine, the amendments were adopted.

Unanimous consent being given, Senator Fulton called up senate bill No. 184.

Senate bill No. 184 was read third time.

By unanimous consent, that portion of the bill relating to Wasco county was stricken out.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Læ, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kely, Kuykendall, Looney, Mackay, Michell, Mulkey, Porter, Selling, Smith, Wade and Mr. President—23.

Nays—None.

Absent—Senators Clem, Daly of Benton, Harmon, Morow, Patterson, Proebstel and Reed—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Michell, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

WEDNESDAY, FEBRUARY 1, 1899.

EVENING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 1, 1899. }

The senate was called to order at 8 o'clock p. m., pursuant to adjournment.

The roll was called, and all the senators were present except Senators Brownell, Morrow, Mulkey and Proebstel.

On motion of Senator Adams, the reading of the journal of yesterday's proceedings was dispensed with.

On motion of Senator Selling, the courtesies of the senate were extended to Hon. W. H. Hobson, and he was invited to a seat within the bar.

On motion of Senator Reed, the courtesies of the senate were extended to Hon. A. M. Crawford, and he was invited to a seat within the bar.

Unanimous consent being given, Senator Daly of Lake called up senate bill No. 168.

Senate bill No. 168 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Morrow, Mulkey and Proebstel—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Kelly called up senate bill No. 183.

Senator Kelly moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Morrow, Mulkey and Proebstel—4.

So the rules were suspended and the bill was read second time by title only, and referred to the committee on municipal corporations.

Senator Daly of Lake called up senate bill No. 116.

Senate bill No. 116 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Morrow, Mulkey and Proebstel—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Michell called up senate bill No. 132.

Senate bill No. 132 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Michell, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Mackay, Morrow, Mulkey and Proebstel—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Adams called up senate bill No. 98.

Senate bill No. 98 was read third time.

On motion of Senator Reed, senate bill No. 98 was recommitted to committee on roads and highways.

Senator Michell called up senate bill No. 134.

Senate bill No. 134 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Morrow, Mulkey and Proebstel—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 31, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 148, a bill for an act to prevent the maintenance of armed bodies of men other than by the state, etc.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Cameron, senate bill No. 119 was recommitted to the committee on revision of laws.

Senator Looney called up senate bill No. 93.

Senate bill No. 93 was read third time.

Senator Josephi moved that senate bill No. 93 be recommitted to the committee on roads and highways with instructions to consider further amendments.

The motion was lost.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Daly of Benton, Dufur, Fulton, Harmon, Howe, Kelly, Kuykendall, Looney, Mackay, Michell, Porter, Selling, Smith and Mr. President—17.

Nays—Senators Clem, Driver, Haines, Haseltine, Josephi, Patterson and Wade—7.

Absent—Senators Brownell, Daly of Lake, Morrow, Mulkey, Proebstel and Reed—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 1, 1899.)

Your committee on engrossed bills, to whom was referred senate bill No. 31, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 1, 1899. }
Mr. President:
Your committee on engrossed bills, to whom was referred senate bills Nos. 10, 121, 150, 163, 168 and 185, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 1, 1899. }
Mr. President:
Your committee on enrolled bills, to whom was referred senate concurrent resolution No. 4, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 31, 1899. }
Mr. President:
Your committee on enrolled bills, to whom was referred senate joint memorial No. 1, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

Senator Fulton called up senate bill No. 163.

Senate bill No. 163 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Selling, Wade and Mr. President—24.

Nays—None.

Absent—Senators Brownell, Mulkey, Morrow, Proebstel, Reed and Smith—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Patterson called up senate bill No. 91.

Senate bill No. 91 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Patterson, Porter, Selling, Wade and Mr. President—21.

Nays—None.

Absent—Senators Adams, Brownell, Clem, Kuykendall, Morrow, Mulkey, Proebstel, Reed and Smith—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Haines called up senate bill No. 185.

Senate bill No. 185 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Porter, Selling, Wade and Mr. President—23.

Nays—Senator Patterson.

Absent—Senators Brownell, Morrow, Mulkey, Proebstel, Reed and Smith—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Patterson, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

THURSDAY, FEBRUARY 2, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1899. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senators Morrow and Proebstel.

The morning session was opened with prayer by Rev. I. D. Driver, D. D., of Salem, Oregon.

On motion of Senator Haseltine, the reading of the journal of yesterday's proceedings was dispensed with.

Senate joint resolution No. 9 being made a special order for 10 o'clock a. m., and that hour having arrived, the same was taken up for consideration.

Senator Kuykendall moved the adoption of the following amendment:

Provided, That the state board of education find upon examination that the title to the property offered by Mr. Albert be found perfect.

The amendment was adopted.

On motion of Senator Kuykendall, senate joint resolution No. 9 was recommitted to committee on education.

Senate bill No. 2. Senator Selling (by unanimous consent). A bill for an act to amend section 2337, title I, chapter XI of Hill's annotated laws of Oregon, as compiled and annotated by W. Lair Hill.

The bill was read first time and passed to second reading without question.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill Nos. 29, 56, 61, 143 and 202, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

January 31, 1899.)

Your committee on revision of laws, to whom was referred house joint resolution No. 1, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

PERCY R. KELLY.
Chairman.

Senator Smith moved that the senate concur in house joint resolution No. 1.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Patterson, Porter, Reed, Selling, Smith and Wade — 20.

Nays—Senators Cameron, Driver, Haines, Harmon, Haseltine, Michell, Mulkey and Mr. President — 8.

Absent—Senators Morrow and Proebstel — 2.

So house joint resolution No. 1 was concurred in.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 1, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 311, a bill for an act to provide for the relocation of the county seat of Malheur county, and provide a special election for that purpose.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 2, 1899.)

Mr. President:

I am directed by the speaker to inform you that he has signed senate concurrent resolution No. 4.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 1, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 293, a bill for an act to regulate and fix the compensation of the county assessor of Jackson county.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 1, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 181.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 1, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 340, a bill for an act to amend the charter of the city of Arlington.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate concurrent resolution No. 4, and soon thereafter stated that he had signed the same.

Unanimous consent being given, Senator Kuykendall called up senate bill No. 194.

Senator Kuykendall moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Kuykendall, referred to the committee on education.

Senator Dufur moved that the rules be suspended and that senate bill No. 196 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Smith and Wade—23.

Nays—Senators Fulton, Selling and Mr. President—3.

Absent—Senators Bates, Daly of Lake, Morrow and Proebstel—4.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Dufur, referred to the committee on assessment and taxation.

On motion of Senator Harmon, the courtesies of the senate were extended to Hon. Geo. M. Brown, and he was invited to a seat within the bar.

Senate bill No. 212. Senator Fulton (by request). A bill for an act to incorporate the city of Heppner.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Michell moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Fulton, was considered engrossed and passed to third reading.

Senate bill No. 27 was read third time.

On motion of Senator Daly of Lake, senate bill No. 27 was made a special order for tomorrow, Friday, February 3, at 2:30 p. m.

Senate bill No. 45 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Clem, Daly of Lake, Dufur, Fulton, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mulkey, Porter, Reed and Smith—16.

Nays—Senators Cameron, Daly of Benton, Driver, Haines, Kelly, Michell, Patterson, Selling, Wade and Mr. President—10.

Absent—Senators Brownell, Mackay, Morrow and Proebstel—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Michell, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1899.)

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Morrow and Proebstel.

Senator Cameron moved that when the senate adjourn it adjourn to meet at 8 o'clock p. m. today, to consider local bills.

The motion prevailed.

Senate bill No. 213. Senator Daly of Lake (by unanimous consent, by request). A bill for an act amending an act creating the office of county recorder of Umatilla county.

Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Unanimous consent being given, Senator Harmon, chairman of the committee on elections and privileges, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1899.

Mr. President:

Your committee on elections and privileges, to whom was referred senate bill No. 156, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. E. HARMON,
Chairman.

Senate bill No. 214. Senator Haines (by unanimous consent, by request). A bill for an act to provide for the election of superintendent of roads and bridges.

Senator Haines moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 215. Senator Reed (by unanimous consent). A bill for an act to create an irreducible school fund for Douglas county, and to provide for the management and disposition thereof.

Senator Reed moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Reed moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Reed, was referred to the committee on education.

Senate bill No. 216. Senator Mulkey (by unanimous consent). A bill for an act repealing an act to secure a more convenient mode for making assessments.

The bill was read first time and passed to second reading without question.

Unanimous consent being given, Senator Reed, chairman of the special committee as provided under house concurrent resolution No. 2, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

January 31, 1899. }

Mr. President:

The undersigned, members of the joint committees of the legislatures of Oregon and Washington, appointed to confer and agree upon concurrent and uniform laws of the two states relative to the fishing interests of the Columbia river, met at Tacoma, Washington, on Saturday, the twenty-eighth day of January, 1899, and have agreed to submit to our respective legislatures and recommend the adoption of the following:

First—That the close season of the two states be uniform as follows: From 12 o'clock noon, March 1st, to 12 o'clock noon, April 15th, and from 12 o'clock noon, August 10, to 12 o'clock noon, September 10.

Second—That the annual license for gillnets be \$2.50, together with a license of \$1 on the boat puller and a license of \$1 on the captain or owner of such boat.

Third—That the annual license for setnets be \$2.50.

Fourth—That the law of the two states as to sturgeon lines be made uniform by adopting the Oregon law in Washington.

Fifth—That there be no Sunday closing law in either state.

Sixth—That a joint commission of the two states be appointed to survey the boundary in the lower Columbia river where the same is in doubt or dispute, and to report at the next succeeding sessions of the respective legislatures of the two states.

Respectfully submitted,

A. W. REED,
B. DALY,
GEO. T. MYERS,
S. FARRELL,
C. J. CURTIS,
Oregon legislative committee.

J. G. MEGLER,
JOHN McREAVY,
WM. M. COLWELL,
L. M. SIMS,
W. BYRON DANIELS,
Washington legislative committee.

Senate bill No. 217. Senator Reed (by unanimous consent). A bill for an act amending an act entitled an act protecting the propagation of salmon fish in the waters of Oregon.

Senator Reed moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Dalv of Lake, Driver, Dufur, Fulton, Haines, Harmon, Hastine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Unanimous consent being given, Senator Mulkey, chairman of the committee on assessment and taxation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 31, 1899. }
Mr. President:
Your committee on assessment and taxation, to whom was referred senate bill No. 158, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. F. MULKEY,
Chairman.

Unanimous consent being given, Senator Mulkey, chairman of the committee on assessment and taxation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1899. }
Mr. President:
Your committee on assessment and taxation, to whom was referred senate bill No. 24, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

In line 23, section 8 of printed bill, strike out "fifteen" and insert in lieu thereof "twenty-five".

AMENDMENT.

In line 29, strike out the first word of said line and in lieu thereof insert "said treasurer".

B. F. MULKEY,
Chairman.

On motion of Senator Mulkey, the amendments were adopted. Unanimous consent being given, Senator Brownell, chairman of the committee on railroads, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1899. }
Mr. President:
Your committee on railroads, to whom was referred senate bill No. 179,

beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

GEORGE C. BROWNELL,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 6, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Haseltine, chairman of the special committee consisting of the senators from Multnomah county, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1899. }

Mr. President:

Your special committee, to whom was referred senate bill No. 72, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

In section 2, line 8, strike out all after the word "feet," all of lines 9 and 10, and the word "Portland," in line 11.

AMENDMENT.

In section 4, line 5, strike out 13 and insert 18, also strike out all of lines 6, 7, 8 and 9 to and including the word "secretary."

AMENDMENT.

In section 5, line 8, strike out the word "two," and insert "three," and in line 9 the word "tenths" and insert "twentieths."

AMENDMENT.

In section 6, strike all after the word "appliances" in line 15.

AMENDMENT.

In section 7, strike out the figures "\$750,000," and insert \$500,000."

J. E. HASELTINE,
Chairman.

On motion of Senator Haseltine, the amendments were adopted. Unanimous consent being given, Senator Haseltine, chairman of the committee on municipal corporations, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 2, 1899. }

Your committee on municipal corporations, to whom was referred senate bill No. 193, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,

Mr. President:

February 2, 1899. }

I am directed by the speaker to inform you that he has signed house bills Nos. 40, 74, 159 and 185.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 218. Senator Reed (by unanimous consent). A bill for an act to reimburse Douglas county for over-payment on state taxes.

The bill was read first time and passed to second reading without question.

The president announced that he was about to sign house bills Nos. 185, 159, 74 and 40, and soon thereafter stated that he had signed the same.

Senator Selling, chairman of the committee on commerce and navigation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 2, 1899 }

Your committee on commerce and navigation, to whom was referred

senate bill No. 38, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Amend the title by striking out the figures "3894," "3918," "3920."

AMENDMENT.

Strike out all of section 3 of engrossed bill, being the proposed amendment to section 3904 of Hill's annotated laws of Oregon.

AMENDMENT.

Strike out all of section 4 of engrossed bill, being the proposed amendment to section 3918 of Hill's annotated laws of Oregon.

AMENDMENT.

Strike out all of section 6 of engrossed bill, the same being a proposed amendment to section 3920 of Hill's annotated laws of Oregon.

BEN. SELLING.
Chairman.

On motion of Senator Selling, the amendments were adopted. Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1899. }

Mr. President:

Your committee on fishing industries, to whom was referred senate bill No. 171, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

By striking out all of section 2, and in place thereof add the following:
The owner or owners of tide lands, and riparian owners, above tidewater on each of said rivers, as appurtenances thereto, shall have the exclusive right and privilege of fishing for salmon fish with seines and nets, and hauling and landing seines and nets on said lands; and no person or persons shall anchor any nets, or put or place any obstruction or obstructions whatever in the water fronting said tide lands, in any place or places where said tide lands are used for hauling or landing seines.

A. W. REED,
Chairman.

On motion of Senator Reed, the amendment was adopted.

Unanimous consent being given, Senator Bates called up house bill No. 38.

House bill No. 38 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Selling and Smith—21.

Nays—Senators Fulton, Harmon, Reed, Wade and Mr. President—5.

Absent—Senators Brownell, Driver, Morrow and Proebstel—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 90, a bill for an act prescribing the manner of appropriating state money.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
January 31, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 1, a bill for an act to provide an appropriation for the sinking of artesian wells.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 2, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 119, a bill for an act to apply to the military fund all money received from the United States government for transportation, etc.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

Senate bill No. 14 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Selling, Smith, Wade and Mr. President—25.

Nays—Senators Haines and Reed—2.

Absent—Senators Driver, Morrow and Proebstel—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 17 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Cameron, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Smith, and Mr. President—21.

Nays—Senators Adams, Bates, Daly of Benton, Howe, Selling and Wade—6.

Absent—Senators Clem, Morrow and Proebstel—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 36 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Howe,

Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—24.

Nays—Senators Kelly and Smith—2.

Absent—Senators Brownell, Harmon, Morrow and Proebstel—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 47 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Dufur, Kuykendall, Mulkey and Porter—5.

Nays—Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly^a of Lake, Driver, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Patterson, Reed, Selling, Smith, Wade and Mr. President—22.

Absent—Senators Harmon, Morrow and Proebstel—4.

So the bill failed to pass.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bill No. 281 (Wallowa city charter bill.)

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house bill No. 281, and soon thereafter stated that he had signed the same.

Senate bill No. 79 was read third time.

Those voting aye were—

Senators Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Selling, Smith, Wade and Mr. President—24.

Nays—None.

Absent—Senators Adams, Cameron, Howe, Morrow, Proebstel and Reed—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 2, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 139, a bill for an act to restore to the military fund certain money.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 2, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 140, a bill for an act relating to the state militia.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

Senator Haines called up senate bill No. 10.

Senate bill No. 10 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Clem, Daly of Benton, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mulkey, Selling, Wade and Mr. President—16.

Nays—Senators Bates, Brownell, Cameron, Harmon, Mackay, Michell, Patterson, Porter, Reed and Smith—10.

Absent—Senators Daly of Lake, Driver, Morrow and Proebstel—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Looney called up senate bill No. 210.

Senator Looney moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Proebstel—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Looney, considered engrossed and passed to third reading.

On motion of Senator Mitchell, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

EVENING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 2, 1899. }

The senate was called to order at 8 o'clock p. m. by the president, pursuant to adjournment.

The roll was called, and all the senators were present except Senators Morrow and Proebstel.

Senator Daly of Lake filed the following protest:

PROTEST.

Availing myself of the privilege of section 26 of article IV of the constitution of Oregon, I hereby protest against the passage of house bill No. 309, for an act to redistrict the state for senators and representatives, for the reason that the same is unjust and unfair to the section of the state which I represent.

It will be observed that this bill gives one senator to Wasco, Crook, Klamath and Lake counties, also one senator to Grant, Gilliam, Sherman and Wasco counties, and one senator to Wasco and Sherman counties; it also creates a representative district composed of the counties of Wasco, Crook, Klamath and Lake, and another composed of the counties of Grant, Gilliam, Sherman and Wasco, and each of these districts have their representatives. It is evident that the object in thus apportioning this part of the state was to place the nomination of three senators and six representatives within the control of Wasco county. If not, then why is Wasco county made the pivot upon which revolves, politically speaking, all of southeastern and a greater portion of eastern Oregon proper.

It has been frequently decided by the courts of other states, that where a county has not sufficient population to entitle it to one senator, it cannot be so apportioned as to be permitted to vote for more than one; this rule also applies to members of the house of representatives.

In this case, Wasco, having a population of 10,354, or 1,729 less than the number required to entitle it to a senator, and 1,728 less than enough to entitle her to two representatives, yet the electors of that county are permitted to vote for three senators and six representatives, while the counties of Crook, Klamath and Lake combined, having a population of 7,727, or about 1,700 more than is necessary to entitle them to one representative, yet these counties are not permitted to have one representative jointly, but are attached to Wasco for that purpose.

If we take the vote cast last June for congress as a basis for the apportionment, which would more accurately represent the population at the present time, we find that Crook, Klamath and Lake cast 2,635 votes; Polk county cast 2,525, Benton 1,937, and Clatsop 2,517.

Notwithstanding the fact that Crook, Klamath and Lake cast more votes at the last election than either of these counties, they are allowed one senator each, while Crook, Klamath and Lake are attached to Wasco for senatorial purposes, and are not permitted the privilege of selecting their own representative, but are also attached to Wasco for that purpose.

This I earnestly protest against, as being both contrary to law and equity, and preventing the people of my district of their right to select a representative whose interests would be the interests of his constituents, and the district properly represented, as it is evident the framers of the constitution intended it should be. The constitution provides that where a county has not sufficient inhabitants to entitle it to a member it shall be attached to an adjoining county. It is evident that the framers of the constitution intended that the senatorial and representative districts should be made as small as possible, so that all local interests would be represented, yet this bill creates a district as large as all that part of Oregon lying west of the Cascade mountains, and where the county seats are over three hundred miles apart, and those who reside in the northern part of the district have no interest in common with those who reside in the extreme southern counties. The county seat of Wasco is as far from the county seat of Klamath and Lake as Portland is from Jacksonville, and, owing to railroad connection between the two last-named points, a representative residing in Portland could better represent Jackson county than one residing in Wasco county could represent Lake and Klamath. It is doubtful if the counties of Klamath and Lake will ever have another representative, but should one be given them it will not be because he is the choice of the people of these counties, but because he is acceptable to the political managers of Wasco.

B. DALY,

Joint senator from Crook, Klamath and Lake counties.

Senator Michell called up senate bill No. 41.

On motion of Senator Dufur, senate bill No. 41 was recommitted to the committee on judiciary with instructions to consider amendments.

Unanimous consent being given, Senator Smith introduced senate joint memorial No. 4.

SENATE JOINT MEMORIAL NO. 4.

To the honorable senate and house of representatives of the United States of America:

Your memorialist, the legislative assembly of the state of Oregon, most respectfully represent that:—

Whereas, Snake river is a navigable stream for river steamers from the mouth of Burnt river to Walter's ferry, a distance of about 170 miles; and

Whereas, the country along both sides of Snake river is rapidly being settled by an industrious people engaged in agricultural, horticultural, stock-growing and mining pursuits ; and

Whereas, dredge mining is attracting large investments of capital, which enterprise is seriously retarded by the fact that neither these dredges nor supply boats can now pass under the obstructions placed across said stream at Huntington, Payette and Nyssa by the Oregon Short Line Railroad Company ; and

Whereas, an open river is demanded in the interest of all classes of settlers and every branch of industry represented by them ; be it therefore

Resolved, By the legislative assembly of the state of Oregon, that the congress of the United States be and the same is hereby most respectfully memorialized to take such just and necessary measures as will accomplish the speedy removal of such obstructions to the free and uninterrupted navigation of said river between the mouth of Brunt river, in the state of Oregon, and Walter's ferry, in Owyhee county, Idaho ; and be it further

Resolved, That the Oregon delegation in congress be earnestly requested to use all possible efforts to bring about the opening of the said Snake river, and to cause the removal therefrom of any and all obstructions in the nature of railroad bridges, which now obstruct and prevent the navigation of said river between the mouth of Brunt river, in Baker county, Oregon, and Walter's ferry, in Owyhee county, Idaho.

That the secretary of state be instructed to forward a copy of this memorial to our senators and representatives in congress, with the urgent request that they use every honorable means to secure the speedy opening of said stream as herein petitioned for.

On motion of Senator Daly of Lake, senate joint memorial No. 4 was referred to the committee on railroads, with instructions to report the same back to the senate on Tuesday, February 7, at 2:30 o'clock p. m.

Senate joint memorial No. 4 was ordered printed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 42, a bill for an act relating to state university.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 76, a bill for an act relating to the preparation of assessment rolls.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 174.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 17, a bill for an act relating to negotiable instruments.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senator Cameron called up house bill No. 286.

Senator Cameron moved that the rules be suspended and that the bill be read second time by title only.

Senator Cameron demanded a call of the senate.

The roll was called, and those present were Senators Bates, Cameron, Clem, Daly of Benton, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kuykendall, Looney, Mackay, Michell, Porter, Reed, Wade and Mr. President—19.

Absent—Senators Adams, Brownell, Daly of Lake, Josephi, Kelly, Morrow, Mulkey, Patterson, Proebstel, Selling and Smith—11.

Senators Brownell, Daly of Lake, Kelly and Smith appearing.

On motion of Senator Fulton, further proceedings under the call of the senate were dispensed with.

The question being to suspend the rules to read house bill No. 286 second time by title only, the roll was called and the vote was:

Those voting aye were--

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Porter, Reed, Smith, Wade and Mr. President—22.

Nays—None.

Absent—Senators Adams, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Proebstel and Selling—8.

So the rules were suspended and house bill No. 286 was read the second time by title only.

Senator Cameron moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Porter, Reed, Smith, Wade and Mr. President—22.

Nays—None.

Absent—Senators Adams, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Proebstel and Selling—8.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Mulkey, Reed, Smith, Wade and Mr. President—22.

Nays—None.

Absent—Senators Adams, Josephi, Kuykendall, Morrow, Patterson, Porter, Proebstel and Selling—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 2, 1899.

Your committee on revision of laws, to whom was referred senate bill

No. 70, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Amend by striking out the word "and" in line 4 of section 1 of the original bill, and inserting instead the word "on"; also amend by inserting after the word "bond" in line 5 of section 1 of the original bill, the words "as tax collector and"; also amend by inserting after the word "exist" in lines 12 and 13 of said section 1 of the original bill, the following words, "or that the property against which said taxes are charged has been destroyed or removed beyond the jurisdiction of said sheriff, or that said sheriff has exhausted all means within his legal authority to enforce the collection of said taxes."

PERCY R. KELLY,
Chairman.

On motion of Senator Kelly, the amendments were adopted.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 2, 1899.)

Your committee on revision of laws, to whom was referred senate bill No. 151, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

PERCY R. KELLY.
Chairman.

Unanimous consent being given, Senator Fulton called up senate bill No. 212.

Senate bill No. 212 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Porter, Selling, Smith, Wade and Mr. President—22.

Nays—None.

Absent—Senators Adams, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Proebstel and Reed—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 198 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Porter, Smith, Wade and Mr. President—20.

Nays—None.

Absent—Senators Adams, Daly of Benton, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Proebstel, Reed and Selling—10.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 205 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Porter, Smith, Wade and Mr. President—21.

Nays—None.

Absent—Senators Adams, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Proebstel, Reed and Selling—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Cameron called up house bill No. 293.

Senator Cameron moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Porter, Smith, Wade and Mr. President—21.

Nays—None.

Absent—Senators Adams, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Proebstel, Reed and Selling—9.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Cameron moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly

of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Porter, Smith, Wade and Mr. President—21.

Nays—None.

Absent—Senators Adams, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Proebstel, Reed and Selling—9.

So the rules were suspended and the bill was read second time by title only.

Senator Cameron moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Porter, Smith, Wade and Mr. President—21.

Nays—None.

Absent—Senators Adams, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Proebstel, Reed and Selling—9.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Porter, Smith, Wade and Mr. President—20.

Nays—None.

Absent—Senators Adams, Haines, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Proebstel, Reed and Selling—10.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Mackay, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 2, 1899. }

Your committee on counties, to whom was referred senate bill No. 147, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

In section 1, line 4, after the word Umatilla add "and Harney"; after the word business in line 6, section 1, add "and Multnomah county, where they shall receive \$100 per month."

DONALD MACKAY,
Chairman.

On motion of Senator Mackay, the amendment was adopted.

Unanimous consent being given, Senators Haseltine and Patterson, members of the committee on horticulture, submitted the following majority report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 2, 1899. }

Your committee on horticulture, to whom was referred senate bill No. 63, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
G. W. PATTERSON.

Unanimous consent being given, Senator Haseltine, chairman of the special committee consisting of the senators from Multnomah county, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 2, 1899. }

Your special committee, to whom was referred senate bill No. 199, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

Unanimous consent being given, Senator Michell called up house bill No. 340.

Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Porter, Smith, Wade and Mr. President—21.

Nays—None.

Absent—Senators Adams, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Proebstel, Reed and Selling—9.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Michell moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Porter, Smith, Wade and Mr. President—21.

Nays—None.

Absent—Senators Adams, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Proebstel, Reed and Selling—9.

So the rules were suspended and the bill was read second time by title only.

Senator Michell moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Porter, Smith, Wade and Mr. President—21.

Nays—None.

Absent—Senators Adams, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Proebstel, Reed and Selling—9.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Porter, Reed, Smith, Wade and Mr. President—22.

Nays—None.

Absent—Senators Adams, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Proebstel and Selling—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Mackay called up senate bill No. 199.

Senate bill No. 199 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Porter, Reed, Smith, Wade and Mr. President—22.

Nays—None.

Absent—Senators Adams, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Proebstel and Selling—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Kelly called up house bill No. 170.

Senator Kelly moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Reed, Smith, Wade and Mr. President—21.

Nays—None.

Absent—Senators Adams, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Porter, Proebstel and Selling—9.

So the rules were suspended and the bill was read second time by title only.

Senator Kelly moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Porter, Reed, Smith, Wade and Mr. President—22.

Nays—None.

Absent—Senators Adams, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Proebstel and Selling—8.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Mackay, Michell, Porter, Reed, Smith, Wade and Mr. President—22.

Nays—None.

Absent—Senators Adams, Josephi, Kuykendall, Morrow, Mulkey, Patterson, Proebstel and Selling—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Howe, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

FRIDAY, FEBRUARY 3, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 3, 1899. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senators Morrow and Proebstel.

The morning session of the senate was opened with prayer by Rev. H. A. Ketchum, D. D., of Salem, Oregon.

On motion of Senator Haines, the reading of the journal of yesterday's proceedings, was dispensed with.

On motion of Senator Fulton, the resolution adopted with the report of the special committee relating to the Loewenberg contract was made senate concurrent resolution No. 6.

Senators Smith and Dufur addressed the senate stating their respective positions relative to the passage of house bill No. 309.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 3, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bills

Nos. 4, 90, 115, 142 and senate joint resolution No. 7, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Clem was excused until Monday.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 2, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 11, providing for a joint committee to make an investigation as to the number of professors employed in the state university, and the number of pupils in attendance thereat.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 11.

Whereas, House bill No. 42 has been introduced in the house limiting the number of teachers in the state university, and curtailing and limiting the rights and powers of the board of regents of said university; and

Whereas, conflicting reports have been made concerning the management of said university, and the number of pupils in attendance thereat; therefore, be it

Resolved by the house, the senate concurring, That a committee of three on the part of the house and two on the part of the senate be appointed to make a thorough investigation of the manner of conducting the state university, the number of pupils in attendance, and report the same to the legislature within five days, and at no expense to the state.

On motion of Senator Kuykendall, the senate concurred in house concurrent resolution No. 11.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
SALEM, Oregon,
February 2, 1899. }

To the senate of the legislative assembly:

Under the provisions of an act authorizing the governor to appoint an agent to select all lands donated to the state by the United States, and to ascertain all losses sustained by the state by reason of the occupancy of sections 16 and 36, by or through the United States government, approved February 19, 1895, the state land agent has selected nearly one hundred and fifty thousand acres of indemnity lands.

Under the provisions of this law these lands were withdrawn from sale for two years, but so great has been the demand for them during the two years they have been on the market, that not much more than fourteen thousand acres remain unsold.

There can be no doubt that the disposal of this vast amount of valuable timber land, at the low price of \$2.50 per acre, has resulted in a great loss to the state.

It has been bought largely by syndicates of capitalists for speculative purposes, a great deal of which has already been resold for sums reaching twice that paid to the state. Large tracts of this land support some of the finest milling timber in the United States, and when it is ready for actual use, which it will be when the object of its purchase is realized, the timber itself, standing, will usually be worth from \$6 to \$10 an acre.

These lands should not have been put upon the market at all, for they furnish no homes for actual settlers, and in parting with them the state has lost hundreds of thousands of dollars.

In view of these facts I suggest that a law should be passed at once, withdrawing the remainder of this indemnity land from sale altogether, and let the school children of the state, instead of nonresidents and other speculators, be the beneficiaries of the future rise in their values.

The money realized from the sale of these lands is not needed, for the irreducible school fund now contains about \$450,000, which is lying idle in the treasury. It may be late to suggest locking the stable door, but it is better to save one good horse than lose the entire herd. Since the money is not needed, these timber lands should remain in the possession of the state, which ought to have the benefit of their increase in value, and I trust my suggestion that for the present they be withdrawn from sale may meet with your approbation.

I deem it my duty also to suggest the urgent necessity for passing a law providing for the reduction of the rate of interest on school loans from eight per cent. to six per cent.

This provision is already included in one or two bills now pending before your honorable body, I understand, but it is involved with so many other proposed amendments, some of which may be doubtful public policy, that so necessary a change should be allowed to proceed without being hampered by any other proposition.

Within the last few weeks the board of school land commissioners has had applications for several loans, and before they could be perfected the applicants found money elsewhere for seven per cent. and less, and the school fund lost the loans. In order to secure the results for which the irreducible school fund is intended, it is necessary that the rate of interest should be reduced.

Believing these two suggestions would, if incorporated in the laws of the state, prove to be of great public benefit, I trust they will meet with your speedy approbation.

T. T. GEER,
Governor.

The message was referred to the committee on judiciary, with instructions to prepare a bill for the consideration of the senate.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 2, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 189.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 168.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 91.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Bates, chairman of the committee on roads and highways, submitted the following report:

REPORT.

SENATE CHAMBER, }
SALEM, Oregon, }
February 3, 1899. }

Mr. President:

Your committee on roads and highways, to whom was referred senate bill No. 68, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

GEORGE W. BATES,
Chairman.

Unanimous consent being given, Senator Bates, chairman of the committee on roads and highways, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 3, 1899.

Your committee on roads and highways, to whom was referred senate bill No. 98, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Strike out all after the word "shall" in section 1, line 1, and insert the word "drive" between or and any, in line 2 of said bill.

GEORGE W. BATES,
Chairman.

On motion of Senator Bates, the amendment was adopted.

Unanimous consent being given, Senator Bates, chairman of the committee on roads and highways, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 3, 1899.

Your committee on roads and highways, to whom was referred senate bill No. 83, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Strike out all after the word "state," in line 12 of said bill.

GEORGE W. BATES,
Chairman.

On motion of Senator Bates, the amendment was adopted.

Unanimous consent being given, Senator Kuykendall, chairman of the special committee consisting of the senators from the second judicial district, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 3, 1899.

Your special committee consisting of the senators from the second judicial district, to whom was referred senate bill No. 65, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Change the last line of the original bill to read "in the county of Curry on the third Monday in August."

W. KUYKENDALL,
Chairman.

On motion of Senator Kuykendall, the amendment was adopted.

Unanimous consent being given, Senator Kuykendall, chairman of the committee on education, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 3, 1899. }

Your committee on education, to whom was referred senate joint resolution No. 9, respectfully report it back to the senate with the recommendation that it be adopted.

W. KUYKENDALL,
Chairman.

Senator Kuykendall moved the adoption of senate joint resolution No. 9.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Mulkey, Patterson, Porter, Selling, Smith and Wade—22.

Nays—Senators Daly of Benton, Howe and Mr. President—3.

Absent—Senators Clem, Michell, Morrow, Proebstel and Reed—5.

So senate joint resolution No. 9 was adopted.

Unanimous consent being given, Senator Harmon substituted the printed bill for senate bill No. 6, and the same was ordered engrossed.

On motion of Senator Brownell, the courtesies of the senate were extended to Hon. T. F. Ryan, and he was invited to a seat within the bar.

Senate bill No. 88 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Wade and Mr. President—25.

Nays—Senators Haines and Smith—2.

Absent—Senators Clem, Morrow and Proebstel—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 2, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 259, a bill for an act to incorporate the city of Heppner.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 2, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 195, a bill for an act to incorporate the city of Ontario.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 2, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 353, a bill for an act to amend the charter of Medford.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 2, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 11, a bill for an act to prevent false labeling of salmon fish and fruits.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 1, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 279, a bill for an act to provide a separate board for Clatsop county.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 96 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Porter, Selling, Smith, Wade and Mr. President—24.

Nays—None.

Absent—Senators Clem, Kuykendall, Morrow, Patterson, Proebstel and Reed—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 219. Senator Michell (by unanimous consent). A bill for an act to incorporate the city of Morrow.

Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Clem, Morrow and Proebstel—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Michell moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Clem, Morrow and Proebstel—3.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Michell, was referred to a special committee consisting of the senators from Sherman, Wasco and Morrow counties.

Senate bill No. 220. Senator Mackay (by unanimous consent). A bill for an act to allow corporations, societies, churches and clubs to change their corporate names, the number of, and mode of their election, etc.

Senator Mackay moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Clem, Morrow and Proebstel—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 221. Senator Mulkey (by unanimous consent). A bill for an act to change the method of conveying insane and convicts to the capital.

Senator Mulkey moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Clem, Morrow and Proebstel—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill No. 222. Senator Fulton (by unanimous consent). A bill for an act for collecting county road poll tax.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Clem, Morrow and Proebstel—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill 223. Senator Mackay (by unanimous consent). A bill for an act to repeal an act providing for assessments of streets, improvements, etc., in installments.

Senator Mackay moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Clem, Morrow and Proebstel—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Mackay moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President — 27.

Nays—None.

Absent—Senators Clem, Morrow and Proebstel—3.

On motion of Senator Mackay, the bill was referred to a special committee consisting of the senators from Multnomah county.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 3, 1899.)

Your committee on engrossed bills, to whom was referred senate bills Nos. 48, 58, 68, 147, 158, 164, 165, 171 and 177, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Unanimous consent being given, Senator Fulton offered a substitute for senate bill No. 120.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 3, 1899.)

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Clem, Bates, Morrow, Proebstel, Porter and Brownell.

Senators Bates, Brownell, Clem and Porter were excused.

Unanimous consent being given, Senator Fulton called up senate bill No. 224, a substitute for senate bill No. 120, a bill for an act submitting pending proposed constitutional amendments to electors.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Bates, Brownell, Clem, Morrow and Proebstel—5.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Fulton moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Bates, Brownell, Clem, Morrow and Proebstel—5.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Fulton moved that the rules be further suspended and that the bill be considered engrossed, read third now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Bates, Brownell, Clem, Morrow and Proebstel—5.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Bates, Brownell, Clem, Morrow and Proebstel—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Fulton, the courtesies of the senate were extended to Hon. J. A. Wright of Sparta, and he was invited to a seat within the bar.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 108, a bill for an act to require county courts to levy tax on sheep and other property, to create a bounty fund, etc.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 1, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 328, a bill for an act to define the boundaries of the town of Medford.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 94, a bill for an act to provide a lien on farm products for the protection of farm laborers.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 158, a bill for an act relating to the fees of witnesses.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 151; a bill for an act relating to homestead exemption from execution.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 156, a bill for an act in relation to taking affidavits or depositions out of the state.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 32, a bill for an act for the protection of wild ducks.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 150, a bill for an act relating to the taking of salmon in the Alsea river.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 127, a bill for an act to provide for the physical examination of plaintiffs in actions for damages for personal injuries.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 149, a bill for an act to amend the code in relation to the duty of administrators.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 93, a bill for an act to amend section 2742 of Hill's code, relating to place of assessment of personal property.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 27 being made a special order for 2:30 p. m. today, and that hour having arrived, the same was taken up.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Reed, Selling, Smith, Wade and Mr. President—24.

Nays—None.

Absent—Senators Bates, Brownell, Clem, Morrow, Porter and Proebstel—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 107 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Reed, Selling, Smith, Wade and Mr. President—23.

Nays—Senator Cameron.

Absent—Senators Bates, Brownell, Clem, Morrow, Porter and Proebstel—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 108 was read third time.

On motion of Senator Kuykendall, senate bill No. 108 was recommitted to the committee on judiciary, with instructions to entertain further amendments.

Senate bill No. 109 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Lake, Driver, Dufur, Fulton, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Reed, Smith, Wade and Mr. President—19.

Nays—Senators Haines and Selling—2.

Absent—Senators Bates, Brownell, Clem, Daly of Benton, Harmon, Howe, Morrow, Porter and Proebstel—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 113 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Reed, Selling, Smith, Wade and Mr. President—24.

Nays—None.

Absent—Senators Bates, Brownell, Clem, Morrow, Porter and Proebstel—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 122 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Reed, Selling, Smith, Wade and Mr. President—24.

Nays—None.

Absent—Senators Bates, Brownell, Clem, Morrow, Porter and Proebstel—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Selling moved that when the senate adjourn it adjourn to meet at 2:30 o'clock p. m. Monday.

Senator Kuykendall moved to amend to adjourn to meet at 8 o'clock p. m. today.

The amendment was adopted.

The motion as amended prevailed.

Senator Adams called up senate bill No. 48.

Senate bill No. 48 was read third time.

The president called Senator Daly of Lake to the chair.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Harmon, Howe, Kuykendall, Looney and Patterson—6.

Nays—Senators Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Josephi, Mackay, Michell, Mulkey, Reed, Selling, Smith, Wade and Mr. President—17.

Absent—Senators Bates, Brownell, Clem, Kelly, Morrow, Porter and Proebstel—7.

So the bill failed to pass.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 3, 1899.

Your committee on enrolled bills, to whom was referred senate bills Nos. 174, 76 and 181, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

On motion of Senator Fulton, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

EVENING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 3, 1899.

The senate was called to order at 8 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Brownell, Clem, Morrow, Proebstel, Porter, Reed and Bates.

The president appointed Senators Fulton and Daly of Lake, on the part of the senate, as members of the joint committee as provided under house concurrent resolution No. 11.

Unanimous consent being given, Senator Daly of Lake, chairman of the committee on medicine, pharmacy and dentistry, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 3, 1899. }

Your committee on medicine, pharmacy and dentistry, to whom was referred senate bill No. 172, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. DALY,
Chairman.

Unanimous consent being given, Senator Mackay, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 2, 1899. }

Your committee on counties, to whom was referred senate bill No. 12, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

DONALD MACKAY,
Chairman.

Unanimous consent being given, Senator Mackay, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 2, 1899. }

Your committee on counties, to whom was referred senate bill No. 52, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

DONALD MACKAY,
Chairman.

On motion of Senator Adams, senate bill No. 52 was indefinitely postponed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 21, 1899. }

Mr. President:
I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 10.
And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 3, 1899. }

Mr. President:
I am directed by the speaker to inform you that the house has adopted house joint resolution No. 4, proposing an amendment to section 2 of article II of the constitution of the state of Oregon.
And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE JOINT RESOLUTION NO. 4.

Be it resolved by the house, the senate concurring, That the following amendment to section 2 of article II of the constitution of the state of Oregon be and the same is hereby proposed:—

Section 2. In all elections not otherwise provided for by this constitution, every male citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in this state during the six months immediately preceding such election, and every male of foreign birth of the age of twenty-one years and upwards, who shall have resided in the state during the six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States one year preceding such election, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote at all elections authorized by law; *provided*, that laws may be enacted requiring definite terms of residence in the county and in the election precinct where said citizen offers to vote, as a part of the electoral qualifications required of each citizen; and *provided*, that this amendment shall apply equally to female citizens if they shall be given the right of suffrage before this amendment is adopted.

On motion of Senator Daly of Lake, house joint resolution No. 4 was referred to the committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 12, relative to the "pure food and drug bill," now before the congress of the United States.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 12.

Be it resolved by the house, the senate concurring, That we instruct our senators and representatives in congress to enlist their efforts toward enacting into law the "pure food and drug bill" now before that body.

On motion of Senator Josephi, the senate concurred in house concurrent resolution No. 12.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate joint resolution No. 7, of the eighteenth biennial session.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Fulton, the vote whereby the senate concurred in house concurrent resolution No. 12 was reconsidered.

On motion of Senator Fulton, house concurrent resolution No. 12 was referred to the committee on medicine, pharmacy and dentistry.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bills Nos. 76, 181 and 174.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate joint resolution No. 7, of the eighteenth biennial session, and senate bills Nos. 76, 174 and 181, and soon thereafter stated that he had signed the same.

Unanimous consent being given, Senator Haseltine, chairman of the special committee consisting of the senators from Multnomah county, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 3, 1899. }

Mr. President:

Your special committee, to whom was referred senate bill No. 203, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

In line 12 of section 2, strike out words "county court," and insert in lieu thereof the words "board of county commissioners."

AMENDMENT.

In line 15 of section 2, strike out words "county court," and insert in lieu thereof the words "board of county commissioners."

AMENDMENT.

In line 18 of section 3, strike out words "Yamhill (one deputy)," and figures "\$600.00."

AMENDMENT.

In line 21 of section 3, strike out words "county court," and insert in lieu thereof the words "board of county commissioners."

AMENDMENT.

In line 24 of section 3, strike out words "county court," and insert in lieu thereof the words "board of county commissioners."

J. E. HASELTINE,
Chairman.

On motion of Senator Haseltine, the amendments were adopted.

Unanimous consent being given, Senator Michell, chairman of the special committee consisting of the senators from Sherman and Wasco counties, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 3, 1899. }

Mr. President:

Your special committee, to whom was referred senate bill No. 192, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

JOHN MICHELL,
Chairman.

Unanimous consent being given, Senator Michell, chairman of the committee on printing, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 3, 1899. }

Mr. President:

Your committee on printing, to whom was referred senate bill No. 178, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Strike out of section 1, line 2 of printed bill, the words "one thousand," and insert the words "eighteen hundred."

AMENDMENT.

In section 3, line 2 of printed bill, strike out the words "law sheep," and insert the words "half roan."

JOHN MICHELL,
Chairman.

Senator Haseltine moved that when the senate adjourn it adjourn to meet at 2:30 o'clock p. m. Monday, February 6.

The motion prevailed.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 3, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 161,

beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Senator Kelly was excused.

Unanimous consent being given, Senator Dufur called up house bill No. 195.

Senator Dufur moved that the rules be suspended and that the bill be read first time by title only.

Senator Dufur demanded a call of the senate.

The roll was called, and those present were Senators Adams, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Selling, Smith, Wade and Mr. President—20.

Absent—Senators Bates, Brownell, Clem, Howe, Kelly, Morrow, Patterson, Porter, Proebstel and Reed—10.

Senators Howe, Patterson and Reed appearing.

On motion of Senator Kuykendall, further proceedings under the call of the senate were dispensed with.

The question being to suspend the rules and read house bill No. 195 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Reed, Selling, Smith, Wade and Mr. President—23.

Nays—None.

Absent—Senators Bates, Brownell, Clem, Kelly, Morrow, Porter and Proebstel—7.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Smith moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Reed, Selling, Smith, Wade and Mr. President—23.

Nays—None.

Absent—Senators Bates, Brownell, Clem, Kelly, Morrow, Porter and Proebstel—7.

So the rules were suspended and the bill was read second time by title only.

Senator Smith moved that the rules be further suspended, and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Reed, Selling, Smith, Wade and Mr. President—23.

Nays—None.

Absent—Senators Bates, Brownell, Clem, Kelly, Morrow, Porter and Proebstel—7.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Reed, Selling, Smith, Wade and Mr. President—23.

Nays—None.

Absent—Senators Bates, Brownell, Clem, Kelly, Morrow, Porter and Proebstel—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Michell, chairman of the committee on printing, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 3, 1899.

Your committee on printing, to whom was referred senate bill No. 219, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

JOHN MICHELL,
Chairman.

Senator Michell called up senate bill No. 219.

Senator Michell moved that senate bill No. 219 be considered engrossed, read third time now and placed upon its final passage.

Senate bill No. 219 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mitchell, Mulkey, Patterson, Selling, Smith, Wade and Mr. President—21.

Nays—None.

Absent—Senators Bates, Brownell, Clem, Kelly, Mackay, Morrow, Porter, Proebstel and Reed—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Mackay called up senate bill No. 146.

Senate bill No. 146 was read third time.

The president called Senator Fulton to the chair.

On motion of Senator Dufur, senate bill No. 146 was recommitted to the committee on counties, with leave to report at any time.

Unanimous consent being given, Senator Dufur called up house bill No. 153.

Senator Dufur moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Benton, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Reed, Selling, Smith, Wade and Mr. President—22.

Nays—None.

Absent—Senators Bates, Brownell, Clem, Daly of Lake, Kelly, Morrow, Porter and Proebstel—8.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Dufur moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Reed, Selling, Wade and Mr. President—21.

Nays—None.

Absent—Senators Bates, Brownell, Clem, Haines, Kelly, Morrow, Porter, Proebstel and Smith—9.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Mulkey, referred to the committee on counties.

Unanimous consent being given, President Taylor called up senate bill No. 147.

On motion of President Taylor, senate bill No. 147 was recommitted to the committee on counties, with leave to report at any time.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 3, 1899.)

Your committee on enrolled bills, to whom was referred senate bills Nos. 91 and 168, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

Senator Patterson moved that the senate adjourn.

The motion was lost.

Senator Michell moved that the vote whereby the senate decided to adjourn to 2:30 o'clock p. m., Monday, February 6, be reconsidered.

On motion of Senator Haseltine, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

MONDAY, FEBRUARY 6, 1899.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 6, 1899.)

The senate was called to order at 2:30 p. m. by the president.

The roll was called, and all the senators were present except Senators Bates and Morrow.

Senator Bates was excused for the afternoon.

The session was opened with prayer by the Rev. N. Shupp of Salem, Oregon.

On motion of Senator Michell, the reading of the journal of Friday's proceedings was dispensed with.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 6, 1899.)

Your committee on enrolled bills, to whom was referred senate bill No. 189 and senate joint resolution No. 10, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

Unanimous consent being given, Senator Michell, chairman of the special committee consisting of the senators from Sherman and Wasco counties, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 6, 1899.)

Your special committee, to whom was referred senate bill No. 192, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

JOHN MICHELL,
Chairman.

Senator Michell moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Bates, Morrow and Reed—3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Bates, Morrow, Reed and Selling—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Howe, chairman of the committee on claims, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 6, 1899.

Your committee on claims, to whom was referred senate bill No 136, beg leave to report that we have had the same under consideration, and respectfully report that the equities are, in our judgment, wholly with the applicant for the relief proposed, but in view of the fact that possible legal questions are involved, we report the bill back to the senate without recommendation and without prejudice.

W. A. HOWE,
Chairman.

Senate bill No. 225. Senator Dufur (by unanimous consent).
A bill for an act to incorporate the town of Dufur.

Senator Dufur moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Bates, Morrow and Selling—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Dufur moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Smith Wade and Mr. President—27.

Nays—None.

Absent—Senators Bates, Morrow and Selling—3.

So the rules were suspended and the bill was read second time by title only.

Senator Michell moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Bates and Morrow—2.

So the rules were suspended and the bill was considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Bates and Morrow—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 214, a bill for an act to incorporate Canby.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 2, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has

passed house bill No. 84, a bill for an act to amend the charter of Junction City, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 2, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 297, a bill for an act to amend the laws for the protection of salmon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Mulkey introduced senate concurrent resolution No. 7.

SENATE CONCURRENT RESOLUTION NO. 7.

Whereas, the senate of the United States by a majority vote has ratified the treaty of Paris; and

Whereas, the policy of the United States is now a fixed one and that ratification becomes the solemn event that proclaims to the world that the country endorses the policy of the president of the United States, William McKinley; and

Whereas, Hon. George W. McBride and Hon. Joseph Simon voted to ratify this treaty; be it

Resolved by the senate, the house concurring, That the people of the state of Oregon view with pride the course of her representatives in their vote upon the treaty, and rejoice in the belief that the moral effect of that vote will be to lead to that decisive action that will restore peace in all the dominions of the United States.

On motion of Senator Mulkey, senate concurrent resolution No. 7 was adopted.

Unanimous consent being given, Senator Daly of Lake introduced senate joint resolution No. 12.

SENATE JOINT RESOLUTION NO. 12.

Whereas, the people of the state of Oregon regardless of party affiliation are desirous of expressing their deep feelings of gratitude to and their admiration for the courage of the Oregon soldiers who have so nobly offered their lives in defense of oppressed humanity in avenging the loss of the Maine, in behalf of civilization and to maintain the honor and prestige of the American flag; and

Whereas, the hearts of some of our people are bleeding as a result of the loss by sickness or in battle of some loved ones to them most dear ; therefore, be it

Resolved by the senate, the house concurring, That the congratulations and admiration and confidence of the people of the state of Oregon be and the same is hereby extended to the Oregon soldiers in the Philippines, and that the sympathy of the people be and the same is hereby extended to the mourning friends of the heroic dead. That the secretary of state be and he is hereby requested to transmit a copy of these resolutions to the commanding officer of the Oregon regiment at Manila, and that said officer be and he is hereby requested upon receipt of such copy to cause the same to be read to each company of his said regiment.

On motion of Senator Daly of Lake, senate joint resolution No. 12 was adopted.

Unanimous consent being given, Senator Haseltine, chairman of the committee on municipal corporations, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

February 6, 1899. }

Mr. President:

Your committee on municipal corporations, to whom was referred senate bill No. 183, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

Senator Kelly moved that the rules be suspended and that senate bill No. 183 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Bates and Morrow—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi,

Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President —27.

Nays — None.

Absent — Senators Bates, Brownell and Morrow — 3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 116.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 212.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has appointed as members of the joint committee of the house and senate, as provided in house concurrent resolution No. 11, Messrs. Butt, Williamson and Hill.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 168, a bill for an act granting a franchise for a toll road and toll bridge across the John Day river.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 249, a bill for an act relating to the time of holding court in the ninth judicial district.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 327, a bill for an act to provide for the relocation of the county seat of Columbia county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 339, a bill for an act to incorporate the town of Medford, Jackson county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 3, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house joint resolution No. 5, to appoint a joint committee to investigate the fishing industry.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

HOUSE JOINT RESOLUTION NO. 5.

Resolved by the house, the senate concurring, That a joint committee of the house and senate, consisting of three members of the house, to be appointed by the speaker, and two members of the senate, to be appointed by the president of the senate, be and hereby is created, to investigate, consider, and report to the legislative assembly, at its twenty-first biennial session, upon the subject of food fish and legislation necessary for the protection and preservation of the same and the promotion of the fishing industries. Said committee shall serve without compensation, and the fish commissioner to be an *ex officio* member of this committee.

On motion of Senator Selling, house joint resolution No. 5 was laid on the table.

Senator Wade moved that the rules be suspended and that senate bill No. 127 be considered engrossed, read third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Josephi, Kelly, Kuykendall, Looney, Michell, Porter, Proebstel, Reed, Smith, Wade and Mr. President—20.

Nays—Senators Harmon, Haseltine, Howe, Mulkey, Patterson and Selling—6.

Absent—Senators Bates, Brownell, Mackay and Morrow—4.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Bates and Morrow—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bills Nos. 91, 168, and 189, and senate joint resolution No. 10.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate bills Nos. 91, 168, and 189, and senate joint resolution No. 10, and soon thereafter stated that he had signed the same.

Senate bill No. 123 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Bates, Kuykendall, Morrow and Mulkey—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 124 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Bates, Morrow and Mulkey—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 6, 1899.)

Your committee on judiciary, to whom was referred senate bill No. 41, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Amend section 1, line 2, original bill, by striking out the figures "5-8," and insert in lieu thereof the figures "3-5."

AMENDMENT.

Amend section 1 by adding thereto the following:

Provided, however, that in case a remonstrance signed by a majority of the legal voters of the county, shall be presented to the county court at any time, before such court has made an order, calling for an election to vote upon the selection of the county seat, such court shall proceed no further in said matter.

AMENDMENT.

Amend section 10 by striking out the word "five" in line 5, original bill, and insert in lieu thereof the word "ten."

C. W. FULTON,
Chairman.

On motion of Senator Smith, senate bill No. 41 was recommitted to the committee on revision of laws, to entertain further amendments.

Senate bill No. 169 was read third time.

On motion of Senator Michell, senate bill No. 169 was laid on the table.

Unanimous consent being given, Senator Fulton introduced senate concurrent resolution No. 8.

SENATE CONCURRENT RESOLUTION NO. 8.

Resolved by the senate, the house concurring, That we, the members of the legislative assembly of the state of Oregon, session of 1899, hereby extend to the president of the United States our sincere congratulations upon the ratification by the senate of the United States of the treaty of Paris.

We also take advantage of this opportunity to express our hearty approval of the wise and patriotic course pursued by the president in dealing with the numerous difficult questions growing out of our differences with Spain.

On motion of Senator Fulton, senate concurrent resolution No. 8 was adopted.

Senate bill No. 175 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Bates, Michell, Morrow and Patterson—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 6, 1899.

Your committee on engrossed bills, to whom was referred senate bills Nos. 39 and 76, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senate bill No. 59 was read third time.

On motion of Senator Josephi, senate bill No. 59 was recommitted to the committee on horticulture, with instructions to entertain further amendments.

Senate bill No. 61 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Bates, Morrow and Mulkey—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

• MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bills Nos. 286, 293, 313, and house joint resolution No. 1.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house bills Nos. 286, 293, 313, and house joint resolution No. 1, and soon thereafter stated that he had signed the same.

Senate bill No. 69 was read third time.

Unanimous consent being given, on motion of Senator Josephi, section 3 was stricken out, and also the words "against kindred, and kindred."

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Bates, Cameron, Dufur and Morrow—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 263, a bill for an act relating to the salary of district attorney.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 82, a bill for an act appropriating money to bridge the south fork of the Nehalem river, in Tillamook county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 20, a bill for an act authorizing the sale by county judges and school clerks of land bid in by them when sold for delinquent taxes.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 117, a bill for an act relating to new trials of causes once tried.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 57, a bill for an act to prohibit the adulteration of candy.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 155, a bill for an act relating to appeals.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 9, a bill for an act to require the fencing of the trunk line railroad between Portland and Huntington.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Fulton, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

TUESDAY, FEBRUARY 7, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 7, 1899. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senators Morrow and Howe.

The morning session of the senate was opened with prayer by the Rev. Ronald McKillop of Salem, Oregon.

On motion of Senator Josephi, the reading of the journal of yesterday's proceedings was dispensed with.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 7, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bills Nos. 65, 70, 72, 83, 98, 151, 179 and 193, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senate bill No. 39 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Clem, Daly of Benton, Driver, Haines, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mulkey, Proebstel, Reed, Selling, Smith, Wade and Mr. President—18.

Nays—Senators Bates, Cameron, Dufur, Harmon, Mackay, Michell and Patterson—7.

Absent—Senators Daly of Lake, Fulton, Howe, Morrow and Porter—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 102 was read third time.

On motion of Senator Kuykendall, senate bill No. 102 was re-committed to the committee on judiciary.

Senator Mackay, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 7, 1899. }

Your committee on counties, to whom was referred senate bill No. 147, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

In section 1, line 4, after the word "Umatilla" add "and Harney." After the word "business" in line 6, section 1, add "and Multnomah county where they shall receive \$100 per month.

DONALD MACKAY,
Chairman.

On motion of Senator Mackay, the amendment was adopted.

Unanimous consent being given, Senator Mackay, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 2, 1899. }

Your committee on counties, to whom was referred senate bill No. 146, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

In section 1, line 11, strike out \$1,000 and insert \$900.

AMENDMENT.

In section 1, line 22, strike out 1,200 and insert 800.

AMENDMENT.

In section 1, line 28, strike out 250 and insert 550.

AMENDMENT.

In line 31, strike out 800 and insert 600.

DONALD MACKAY,
Chairman.

On motion of Senator Mackay, the amendments were adopted.
Senate bill No. 147 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—25.

Nays—Senators Kelly and Selling—2.

Absent—Senators Howe, Morrow and Mulkey—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 6, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 12.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 6, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 208, a bill for an act to regulate the sale of spirituous, vinous and malt liquors in the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 95, a bill for an act to fix the salaries of the various county treasurers in the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 241, a bill for an act to fix the salaries of sheriff and clerk of Lincoln county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 194, a bill for an act relating to license to sell spirituous liquors.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 177, a bill for an act defining who may sign petition for liquor license, and how many required.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }
Mr. President:
I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 8.
And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }
Mr. President:
I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 7.
And the same is herewith returned to you for enrollment.
A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }
Mr. President:
I am directed by the speaker to inform you that the house has passed house bill No. 99, a bill for an act to prevent push cars, velocipedes, hand cars and other wheeled contrivances upon any railroad track.
And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }
Mr. President:
I am directed by the speaker to inform you that the house has

passed house bill No. 129, a bill for an act repealing an act to prevent and punish the driving or herding of live stock along or near public highways.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 41, a bill for an act to protect public bridges.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 157, a bill for an act relating to the rights of corporations to appropriate land for corporate purposes.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 3, a bill for an act providing for the execution of a judgment when the penalty is death at the Oregon state penitentiary.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 6, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 73, a bill for an act to require street railway companies to provide weather guards for street cars.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

Senator Mackay, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER, }
 SALEM, Oregon, }
 February 7, 1899. }

Mr. President:

Your committee on counties, to whom was referred senate bill No. 146, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

In section 1, line 11, strike out "\$1,000," and insert "\$900." In section 1, line 22, strike out "\$1,200," and insert "\$800." In section 1, line 28, strike out "\$250," and insert "\$550." In line 31, strike out "\$400," and insert "\$600."

DONALD MACKAY,
 Chairman.

On motion of Senator Mackay, the amendments were adopted. Senate bill 146 was ordered engrossed as amended.

Unanimous consent being given, Senator Brownell introduced senate joint resolution No. 13.

SENATE JOINT RESOLUTION NO. 13.

Whereas, it has been stated that the United States government intends to muster out the volunteer regiments in the field at Manila at an early date; and

Whereas, the second Oregon regiment was the first to land in that country, and was the first regiment to start in the great expedition which left San Francisco on the twenty-fifth day of May, last, and has been continuously in the Philippine islands performing service during that period; and

Whereas, a large number of the men in said regiment have lucrative positions being held open for them, also dependent fathers and mothers,

who need their assistance at home, and a great many more who are in the midst of their school years, which they should be allowed to resume; and

Whereas, these young men should be returned to their homes to take up their civil positions as soon as compatible with public interest, assist in the care of their parents and continue their school work where they laid it down; and

Whereas, it is not the desire nor the intention of this regiment to demand that they be mustered out, nor do they desire to be relieved from duty before the government has decided to reduce the volunteer army; still as they were the first to land in the Philippine islands, it is proper and right that they should be mustered out in the same order in which they came into active service, that is to say, the first to arrive should be the first ordered home; therefore, be it

Resolved by the senate, the house concurring, That we earnestly recommend to our delegation in congress that they use every honorable means that this object may be accomplished; and be it further

Resolved, That the honorable secretary of war be requested to coöperate in the wishes of the people of the state of Oregon so far as relates to this matter, and that the president of the senate and the speaker of the house of representatives are hereby requested to furnish each member of our delegation in congress and the secretary of war with copies of this resolution.

Senator Brownell moved that senate joint resolution No. 13 be adopted.

On motion of Senator Reed, the resolution was laid on the table.

Unanimous consent being given, Senator Reed called up senate bill No. 171.

Senate bill No. 171 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly, of Lake, Driver, Dufur, Fulton, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—25.

Nays—Senators Adams, Haines and Smith—3.

Absent—Senators Howe and Morrow—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Driver introduced senate concurrent resolution No. 9.

SENATE CONCURRENT RESOLUTION NO. 9.

Be it resolved by the senate, the house concurring, That in fixing the salaries of different county officers that no difference in amount shall be made on account of any religious or political opinion entertained by any person elected or appointed to any county office.

Senator Driver moved the adoption of the resolution.

The motion was lost.

So the senate refused to adopt senate concurrent resolution No. 9.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
SALEM, Oregon, }
February 7, 1899. }

To the honorable, the president of the senate:

I am directed by the governor to inform you that he has approved and signed the following bills: Senate bills Nos. 76, 174, 189, 168, 91 and 133.

WALTER LYON,
Private secretary.

Unanimous consent being given, Senator Kelly called up senate bill No. 177.

Senate bill No. 177 was read third time.

Unanimous consent being given, the title of the bill was amended.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Howe and Morrow—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Looney moved that the rules be suspended and that senate bill No. 210 be considered engrossed, read third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Kelly, Kuykendall, Looney, Mackay, Mulkey, Reed and Wade—18.

Nays—Senators Haseltine, Josephi, Michell, Patterson, Porter, Proebstel, Selling, Smith and Mr. President—9.

Absent—Senators Clem, Howe and Morrow—3.

So the senate refused to suspend the rules.

Senate bill No. 114 was read third time.

Senator Daly of Lake was called to the chair.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith and Wade—24.

Nays—Senator Bates.

Absent—Senators Adams, Cameron, Howe, Morrow and Mr. President—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

President Taylor resumed the chair.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 7, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 75, a bill for an act to tax mortgages.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Mulkey introduced senate petition No. 12.

SENATE PETITION NO. 12.

To the honorable senate of the state of Oregon:

We, the undersigned, citizens, taxpayers and business men of Marion county, Oregon, respectfully ask of your honorable body that house bill No. 168, pertaining to the salary of the sheriff of Marion county, Oregon, which is now in the hands of the Marion county senators as a committee on same, be taken up, considered, and passed by your honorable body, as in our opinion said bill is a just and fair one, and the present salary of said sheriff is insufficient to meet the ends of justice and good service.

(Signed by many citizens of Marion county.)

Senate petition No. 12 was referred to a special committee consisting of the senators from Marion county.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 3, 1899.

Your committee on judiciary, to whom was referred senate bill No. 46, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Add to section 5 the following:

Provided, further, that in case any county prior to the passage of this act, and subsequent to the expiration of the right of redemption under the law prior to the passage of this act, shall have, in good faith, sold and conveyed, or entered into a *bona fide* contract in writing to sell any such land or lands, then the preference right herein reserved to the owner of such lands at the time of the tax sale shall not apply to any such land or lands sold, or so contracted to be sold.

On motion of Senator Fulton, the amendment was adopted.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 7, 1899.

Your committee on judiciary, to whom was referred senate bill No. 87, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 7, 1899.

Your committee on judiciary, to whom was referred senate bill No. 166, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 7, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 176, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 7, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 180, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 7, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 138, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 7, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 139,

beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

C. W. FULTON,
Chairman.

Senate bill No. 226, as a substitute for senate bill No. 139. Senator Fulton (by unanimous consent, on behalf of Senator Howe). A bill for an act for the organization, government, inspection and control of building and loan associations doing business in the state of Oregon.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Howe and Morrow.—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

On motion of Senator Brownell, the courtesies of the senate were extended to Hon. L. T. Barin, and he was invited to a seat within the bar.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 7, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 154, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Amend section 1, printed bill, by striking out the word "unless," in line 3, and inserting in lieu thereof the words "or in case."

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendment was adopted.

On motion of Senator Mulkey, the special committee consisting of the senators from Marion county was instructed to return house bill No. 163 for the further consideration of the senate.

Unanimous consent being given, Senator Mulkey called up house bill No. 163.

House bill No. 163 was read third time.

Senator Adams demanded a call of the senate.

The roll was called, and those present were Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Absent—Senators Howe, Kuykendall and Morrow—3.

On motion of Senator Fulton, further proceedings under call of the senate were dispensed with.

Senator Smith was excused until tomorrow at 2 o'clock p. m.

On motion of Senator Fulton, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 7, 1899.)

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Howe, Morrow, Smith and Wade.

Senator Howe was excused on account of illness.

Senator Wade was excused.

House bill No. 163 was taken up.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—23.

Nays—Senators Adams and Looney—2.

Absent—Senators Howe, Morrow, Smith and Wade—4.

Not voting—Senator Kuykendall, paired with Senator Smith.
So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 144 was read third time.

Unanimous consent being given, the bill was amended.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Mackay, Michell, Patterson, Reed, Selling and Mr. President—17.

Nays—Senators Adams, Brownell, Driver, Dufur, Looney, Mulkey, Porter and Proebstel—8.

Absent—Senators Fulton, Howe, Morrow, Smith and Wade—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 106, a bill for an act relating to the license of peddler, or transient vendor of goods or merchandise.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 23, a bill for an act relating to the sale of real estate for delinquent taxes.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has

passed house bill No. 154, a bill for an act to establish a fiscal agency in New York.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 222, a bill for an act to regulate mutual fire insurance companies.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 36, a bill for an act to provide for registration of voters.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bills Nos. 6, 12, 24, 68, 156, 172, 178 and 203, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 7, 1899. }

Your committee on enrolled bills, to whom was referred senate joint resolution No. 12, senate concurrent resolutions Nos. 7 and 8, and senate bills Nos. 116 and 212, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

House bill No. 150 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Josephi, Kuykendall, Looney, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—21.

Nays—Senators Bates, Haseltine and Mackay—3

Absent—Senators Howe, Kelly, Michell, Morrow, Smith and Wade—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 210, a bill for an act to protect salmon, salmon trout, mountain and brook trout in the Rogue river and its tributaries.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 188, a bill for an act relating to the state board of agriculture.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 6, a bill for an act to amend sections 2562, 2563 and 2564 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 265, a bill for an act for the relief of J. W. Magnes.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 238, a bill for an act to protect the fruit and hop industry in the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senator Driver moved that the rules be suspended and that senate bill No. 182 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Driver, Dufur, Fulton, Harmon, Kelly, Kuykenkall and Looney—11.

Nays—Senators Bates, Daly of Benton, Daly of Lake, Haines, Haseltine, Josephi, Mackay, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—14.

Absent—Senators Howe, Michell, Morrow, Smith and Wade—5.

So the senate refused to suspend the rules.

Senate bill No. 75 was read third time.

On motion of Senator Daly of Lake, senate bill No. 75 was re-committed to the committee on roads and highways for the consideration of further amendments.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bills Nos. 116 and 212, senate joint resolution No. 12, and senate concurrent resolutions Nos. 7 and 8.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate bills Nos. 116 and 212, senate joint resolution No. 12, and senate concurrent resolutions Nos. 7 and 8, and soon thereafter stated that he had signed the same.

Senator Patterson moved that when the senate adjourn, it adjourn to meet at 8 o'clock p. m. today, for the first and second reading of house bills.

The motion prevailed.

Unanimous consent being given, Senator Daly of Lake, chairman of the committee on medicine, pharmacy and dentistry, submitted the following report:

REPORT.

SENATE CHAMBER, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

Your committee on medicine, pharmacy and dentistry, to whom was referred house concurrent resolution No. 12, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

In line 3, strike out the word "instruct" and insert in lieu thereof the word "request."

AMENDMENT.

In line 4, strike out the word "enlist" and insert in lieu thereof the word "use."

B. DALY,
Chairman.

On motion of Senator Daly of Lake, the amendments were adopted.

On motion of Senator Daly of Lake, the senate concurred in house concurrent resolution No. 12, as amended.

On motion of Senator Daly of Lake, senate joint memorial No. 4, which was made special order for 2:30 p. m. today, was indefinitely postponed.

Unanimous consent being given, Senator Haseltine, chairman of the committee on municipal corporations, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 7, 1899. }

Your committee on municipal corporations, to whom was referred senate bill No. 2, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

In the title of the bill, after the word "inhabitants," insert the words, "and to repeal all acts or parts of acts in conflict therewith." Also strike out all after the enacting clause and insert the following:

Section 1. The office of tax collector in each county in the state of Oregon having a population of fifty thousand inhabitants, or more, is hereby created for the collection of all taxes, and whenever the population of any county in the state of Oregon shall exceed fifty thousand inhabitants, as shown by any census of the state or United States, the taxes in such county shall be collected only in accordance with the provisions of this act.

Section 2. From and after the passage of this act, and the appointment of a tax collector for each county coming within its purviews, as hereinafter provided, the tax collector of such county shall have full and complete charge and control of the collection of all unpaid taxes in said county, whether the same shall have been declared delinquent or not, and all tax rolls in process of collection shall be delivered up to him by the clerk, sheriff or agent having the same in charge, with warrants attached thereto by the county clerk for the collection of said taxes. The clerk of the county court of each county shall forthwith after the apportionment of taxes make a certificate of the several amounts apportioned to be assessed upon the taxable property in his county for state, county, general and special school, mili-

tary, university, town, city or other purposes for which a tax may have been legally levied, and deliver the same to the tax collector of the county, together with the original assessment roll, ruled with necessary columns for extension of tax collections and delinquent list and with the amount of taxes properly extended, to which shall be attached a warrant in the name of the state of Oregon, under his hand and the seal of the county court, authorizing the collection by such tax collector of said taxes, and take the receipt of said tax collector therefor, and duly charge against such tax collector the full amount of taxes charged on such roll; and such tax collector shall be allowed as credits against such charge such amounts as he shall thereafter report to the board of county commissioners of his county that he has collected on such roll, and also such as he shall have found to have been twice assessed thereon, and such thereof as he shall be unable to collect and shall return to such board as not collectible. The amounts collected by said tax collector shall be paid over to the county treasurer as often as once each week.

Section 3. The tax collector of each county coming under the provisions of this act shall be a qualified elector of the state of Oregon, and at the time of his appointment a resident of the county for which he shall be appointed.

Section 4. Each tax collector coming within the provisions of this act shall be appointed by the board of county commissioners of each county having a population of fifty thousand inhabitants, or more, within five days after the taking effect of this act, and shall hold his office until the first Monday in July, of 1900, and until his successor is appointed and qualified. And there shall be appointed after the general election in 1900, and every two years thereafter, a tax collector for each county coming within the provisions of this act, who shall hold his office for a term of two years.

Section 5. Before entering upon the discharge of his duties, each tax collector shall furnish a bond for the faithful discharge of his duties, and to faithfully and fully account for the moneys that come into his hands as such tax collector, which bond shall be in such sum not less than (\$50,000) fifty thousand dollars as the board of county commissioners shall fix and determine, and which bond must be approved by the said board of county commissioners. The board of county commissioners may require the said tax collector to furnish such additional or other bond as it may in its discretion from time to time demand. Said bonds shall be executed by some reputable surety company designated by the board of county commissioners and approved by the circuit judges of the fourth judicial district, and the premiums on said bonds shall be paid out of the county treasury upon warrants drawn by the said board of commissioners.

Section 6. Each tax collector shall receive as full compensation for his services the sum of \$2,000 per annum, payable monthly, to be paid out of the county treasury of said county in the same manner as the salaries of other county officers are paid.

Each tax collector shall appoint one chief deputy, who shall receive as his compensation for such services the sum of twelve hundred dollars per annum, payable monthly, to be paid out of the county treasury in the same manner as the salaries of other county officers are paid.

The tax collector may appoint as many clerks in addition to the chief deputy as the board of county commissioners of such county may by order authorize, and the compensation of each clerk shall not exceed the sum of seventy-five dollars per month, and shall be payable in the same manner as the salaries of other county officers are paid; *provided*, that the total amount of salaries to be paid to the tax collector, his chief deputy, and all his clerks shall not exceed the sum of eight thousand dollars in any one year.

Section 7. The tax collector of such county shall collect all taxes due; he shall prepare and keep in his office a taxpayer's index, which shall be a public record and subject to general inspection. In such index the tax collector shall enter, or cause to be entered, the name of each and every tax-

payer against whom any tax shall be charged in his county, and the total amount of all taxes to be paid by him, and such names shall be arranged in such index in alphabetical order with reference to the first three letters of the surname of such taxpayers as have surnames, and of the first name of others, and opposite the name of each taxpayer on such index shall be entered the postoffice address and city address, if any such there be, of such taxpayer, as accurately and fully as such tax collector can, by diligent inquiry, ascertain the same; and in case such tax collector shall be unable to learn the postoffice address of any such taxpayer, there shall be entered for the address of such taxpayer in said index the name of the postoffice at the county seat of the county in which such taxes are charged; and whenever it shall come to the knowledge of such tax collector that any such taxpayer has changed his location, or that an address is incorrectly entered on such index, such tax collector shall cause such address to be so changed on such index as to make it correct. As soon as practicable, after receiving any tax roll or list for the collection of taxes thereon, such tax collector shall mail postpaid, properly addressed in accordance with said index, to each of the taxpayers named on such tax roll or list, a notice of the amount of taxes charged against such taxpayer, which notice shall also contain a description of the property upon which, and a designation of the year and the purpose for which, such tax was levied. Within the last sixty days, and not less than thirty days prior to the date when any taxes may become delinquent, another similar notice shall in like manner be mailed by such tax collector to each taxpayer charged with such tax, if then unpaid, and after any tax shall have been delinquent for ten months, and before it shall have been delinquent eleven months, such tax collector shall in like manner mail to each taxpayer charged with such tax another like notice, which shall also contain a statement of the date of the delinquency, the amount of the penalty, and the rate of interest accruing thereon from the date of delinquency, and at what date in case of nonpayment an additional penalty will be added thereto, and the amount of such additional penalty, so that the taxpayer may learn from such notice the exact amount necessary to pay such tax, penalty, and interest then or at any time thereafter prior to a sale of the land for the tax. The tax collector's office shall be open for business every judicial day in the year from 8 o'clock a. m. to 5 o'clock p. m.

Section 8. The tax collector of such county shall receive and receipt for all moneys and county orders collected by him for taxes, and shall keep stub receipt books in which shall be kept by him a copy of each and every such receipt by him issued. Such receipts and stubs shall be arranged and numbered in regular numerical order, and shall show exactly the amount paid in cash, and the amount paid in county orders, and shall show the place and date of collection, and the purposes, and the year for which, and the property on which the taxes were paid. No tax collector shall receive a larger amount in county orders from any person for taxes than the amount of such person's county taxes for the year or years for which the payment is made. It shall be the duty of such tax collector to note on each receipt and copy thereof the number and amount of each county order he shall receive on account of the tax for which such receipt shall be given, and also to write the date of the receipt upon the back of each county order paid in for taxes, and no such county order shall draw any interest after such date.

Section 9. Each such tax collector shall, on the first business day of each calendar month, report to the board of county commissioners of his county the exact amount of cash and of county orders by him collected for taxes during the preceding month, and exhibit to such county commissioners for examination and comparison his stub books, containing copies of the receipt by him given for the taxes so collected. In such report the tax collector shall also show the respective sums collected for the various funds, for which he shall have collected taxes during the period covered by such report.

Section 10. Whenever the tax collector discovers that any property has been assessed more than once for the same year, he shall collect only the tax justly due thereon, and shall make return to the board of county commissioners of the balance as double assessment, and he shall be properly credited therefor.

Section 11. In the counties referred to in section 1 of this act, taxes for the preceding year may in any year be paid on or prior to the thirty-first day of May, and if not so paid, they shall become delinquent; *provided*, that if one-half of such taxes be paid on or before the said thirty-first day of May, then the time for the payment of the remainder thereof shall be extended to and including the thirtieth day of November next following; but if the remaining one-half of said taxes be not paid on or before the said thirtieth day of November, then such remaining half shall be delinquent, and besides the penalty, interest thereon shall be charged and collected at the rate of eight per cent. per annum from the thirty-first day of May preceding, and upon all delinquent taxes there shall be collected from the taxpayer owing such taxes, for the benefit of the county, five per cent. as a penalty, and for the benefit of the corporation to which such taxes shall be due, interest at the rate of eight per cent. per annum on such taxes from the date upon which they become delinquent until their payment. Upon all such taxes as shall become delinquent one year, an additional penalty of five per cent., making altogether ten per cent. of penalty, shall likewise be collected, for the benefit of the county.

Section 12. On or immediately after the third Monday of December of each year, the county tax collector shall proceed to collect all delinquent taxes levied in his county upon personal property, together with penalty and interest thereon as herein provided, and if the same be not paid on demand, he shall levy on sufficient goods and chattels belonging to the corporation or person charged with such taxes if he can find such goods and chattels in his county, to pay the same, together with all interest thereon and penalties, and shall immediately advertise such goods and chattels for sale by posting written or printed notice of the time and place of sale in three public places in his county, not less than ten days prior to such sale, and if such taxes, interest and penalties shall not be paid before the time appointed for such sale, such tax collector shall proceed to sell such property at public vendue, or so much thereof as will be sufficient to pay such taxes, interest and penalties, and shall deliver to the purchasers thereof at such sale the property so sold to them respectively, and such sale shall be absolute.

Section 13. Such tax collector shall immediately after any tax, with the collection of which he is charged, and which has been levied on real property, becomes delinquent on any tax list, post or cause to be posted in a public place, at or near the front door of the county courthouse of his county, a written or printed notice of the fact of such delinquency, and cause the same to remain so posted continually, as near as practicable, and at least to be so posted as often as once each month, until the payment of the tax or the sale of the property therein described; which notice shall be known as a "delinquent tax notice," and shall contain the names of all parties charged with such delinquent taxes, which names shall be arranged in such notice in the same order in which the same names appear on the taxpayer's index, kept by such tax collector, and such delinquent tax notice shall also show the amount of delinquent taxes charged on such list against each of such taxpayers, the property upon, and the purposes, and the year for which such tax was levied, and the amount of the penalty and interest accrued thereon at the date of such notice, and a statement of the time when any additional penalty will, in case of nonpayment, be added thereto, and the amount or per cent. of such additional penalty and the rate at which additional interest will accrue upon such taxes. Such delinquent

tax notice shall, from time to time, be changed by such tax collector, by erasing therefrom the names of such taxpayers as shall have paid after such notice was first posted, and otherwise, to make it conform to the facts.

Section 14. On the first Monday of May of each year at 10 o'clock a. m., at the front door of the county courthouse of his county, such tax collector shall commence the sale, at public auction, of the real property described in such delinquent tax notice, which shall then have been posted in his county, as provided in section 10 of this act, for two years or more, and on which the taxes set forth in such notice shall not then have been paid, and shall adjourn such sale, if necessary, from time to time, making public proclamation at the time of each adjournment of the day and hour when such sale will be resumed, until all such property be sold, or the taxes paid thereon. At such sales the person who will for the least quantity of land, to be designated when offered by the tax collector, or in case an undivided interest is assessed, then for the smallest portion of such interest, pay the taxes, together with the interest and the penalties thereon, shall be the purchaser. The tax collector, upon such sale being completed, shall make and deliver to the purchaser a certificate of sale, which shall contain a description of the property sold, the amount it sold for, to whom the property was assessed, the year in which the tax was levied, the date of the sale, the name of the purchaser, and that the sale was made subject to redemption within three years from the date of the sale, and shall keep in his office a duplicate of each such certificate, as and for a public record. The owner or his successor in interest, or any person having a lien by judgment, decree, mortgage or otherwise, on the land described in such certificate, or any part thereof, separately sold, may redeem the same at any time within three years after the date of the sale, by paying to the tax collector of the county wherein such sale was made, for the use and subject to the demand of the owner of such certificate, the amount for which the property was so sold, and interest thereon from the date of such sale at the rate of ten per centum per annum, and all taxes and assessments which shall have been paid on the land by the purchaser, his heirs and assigns, subsequent to such sale, and interest at the same rate on all taxes and assessments so paid from the date of their payment. Each such tax collector shall keep in his office, subject to inspection by everyone, a record of all redemptions made in his county, which record shall show the name to which the property redeemed was assessed, a description of the property, the date of the levy of the tax, the name of the purchaser at the tax sale, the amount for which the property was sold, the amount of the taxes, assessments and interest paid and accrued since the sale, the name of the redemptioner, the relation to the property under which he claimed the right to redeem, the date of the redemption, and the amount paid for the redemption. The tax collector shall pay to the owner of any such certificate of sale the full sum he shall have received for the redemption of the land described in such certificate, upon demand of such owner and the delivery to the tax collector of such certificate, with a proper receipt endorsed thereon or appended thereto, signed by the owner of the certificate for such redemption money. If no redemption of land so sold for taxes be made within three years after such sale, the tax collector shall within the last sixty days of said period of three years, and at least thirty days before the end of said period, mail a notice to the person or corporation which owned said land at the time of the tax sale thereof, addressed to such owner, or taxpayer, or to the taxpayer to whom said land was assessed prior to said sale, at his or its last known postoffice address, as accurately as such address can then be ascertained by such tax collector by diligent inquiry, which notice shall contain a description of the property, the name of the owner to whom it was assessed, the date and the amount of the tax levied, the date of the tax sale, the name of the purchaser, the time when the right of redemption will expire, and the amount necessary to redeem the same; and if no redemption be made of such land within said period of three years thereafter, the tax collector shall, upon the surrender to him of

such certificate, execute and deliver to the purchaser, his heirs or assigns, a deed conveying to him or them the land described in such certificate, reciting or stating in such deed, with other essential things, a description of the property sold, to whom the same was assessed, the amount for which it was sold, the date of the sale, the name of the purchaser at the sale, the year in which the tax was levied, that the tax was unpaid at the time of the sale, that no redemption has been made, and such deed shall operate to convey a legal and equitable title to the land so conveyed, in fee simple, to the grantee named in the deed, and such deed shall be *prima facie* evidence of title in the grantee, and that all of the proceedings required or directed by law in relation to the assessment of the property, the levy and collection of the taxes and the sale of the property in such deed mentioned, were regularly and correctly had and done; and in any action, suit or proceeding for the recovery of lands which the tax collector shall have sold for taxes, except in cases where the taxes have been paid or the land redeemed as herein provided, the party claiming to be the owner as against the tax title, must with his first pleading, tender and pay into court the amount for which the land was sold by the tax collector, together with interest thereon at the rate of ten per cent. per annum from the date of such sale to the date of filing such pleading, and the amount of all taxes or assessments which the purchaser or his successor in interest shall have paid on said land after such sale, together with interest thereon at the same rate from the date of such payment to the date of filing such pleading, for the benefit of the holder of such tax deed, his heirs or assigns, in case such tax title should fail in such action, suit or proceeding.

Section 15. All laws or parts of laws inconsistent or in conflict with the provisions of this act are hereby expressly repealed.

Section 16. As a necessity for the proper collection of all taxes is apparent, an emergency exists, and this act shall take effect from and after its approval by the governor.

J. E. HASELTINE,
Chairman.

On motion of Senator Haseltine, the amendments were adopted.

On motion of Senator Haseltine, the bill was considered engrossed and passed to third reading.

Senate bill No. 104 was read third time.

Senator Mackay demanded a call of the senate.

The roll was called, and those present were Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Josephi, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Selling and Mr. President — 20.

Absent — Senators Adams, Harmon, Howe, Kelly, Kuykendall, Looney, Morrow, Reed, Smith and Wade — 10.

Senators Adams, Harmon, Looney and Reed appearing.

On motion of Senator Fulton, further proceedings under the call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine,

Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President — 24.

Nays—Senator Bates.

Absent—Senators Howe, Kuykendall, Morrow, Smith and Wade—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 7, 1899.

Your committee on engrossed bills, to whom was referred senate bill No. 2, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senate bill No. 121 was read third time.

On motion of Senator Kelly, senate bill No. 121 was recommitted to the committee on assessment and taxation, with instructions to consider further amendments.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,

Mr. President:

February 7, 1899.

I am directed by the speaker to inform you that the house has passed house bill No. 346, a bill for an act to protect trout and other food fishes.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,

Mr. President:

February 7, 1899.

I am directed by the speaker to inform you that the house has passed house bill No. 109, a bill for an act to prevent the production and sale of unwholesome foods and medicines, and to regulate the sale of adulterated food, drinks and medicine.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 200, a bill for an act for the protection of snipe in the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 242, a bill for an act to provide for registration of births and deaths throughout the state.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bills Nos. 170 and 211.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house bills Nos. 170 and 211, and soon thereafter stated that he had signed the same.

Senate bill No. 227. Senator Fulton (by unanimous consent). A bill for an act providing for publication of revised code.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Selling and Mr. President—25.

Nays—None.

Absent—Senators Howe, Morrow, Reed, Smith and Wade—5.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Fulton moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Driver, Dufur, Fulton, Haines, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Patterson, Porter, Proebstel and Mr. President—19.

Nays—Senators Mulkey and Selling—2.

Absent—Senators Clem, Daly of Lake, Harmon, Howe, Michell, Morrow, Reed, Smith and Wade—9.

So the senate refused to suspend the rules.

Senate bill No. 228. Senator Proebstel (by unanimous consent). A bill for an act to incorporate the city of Weston.

Senator Proebstel moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—23.

Nays—None.

Absent—Senators Harmon, Howe, Mackay, Michell, Morrow, Smith and Wade—7.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Proebstel moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Jose-

phi, Kelly, Kuykendall, Looney, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—24.

Nays—None.

Absent—Senators Brownell, Howe, Mackay, Morrow, Smith, and Wade—6.

So the rules were suspended and the bill was read second time by title only.

Senator Proebstel moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—24.

Nays—None.

Absent—Senators Fulton, Howe, Mackay, Morrow, Smith and Wade—6.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—24.

Nays—None.

Absent—Senators Fulton, Howe, Mackay, Morrow, Smith and Wade—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Looney was excused.

Unanimous consent being given, Senator Mulkey, chairman of the committee on assessment and taxation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 7, 1899.)

Your committee on assessment and taxation, to whom was referred senate bill No. 121, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

In line 28 of the bill, after the word "to," insert the following: "The county treasurer to be paid out by warrant to."

AMENDMENT.

In line 32 of printed bill, strike out "\$2.00" and insert in lieu thereof "\$1.50."

B. F. MULKEY,
Chairman.

On motion of Senator Mulkey, the amendments were adopted. Unanimous consent being given, the bill was amended as follows:

In line 28 of the bill, after the word "to," insert the following: "The county treasurer to be paid out by warrant to."

In line 32 of printed bill, strike out "\$2.00" and insert in lieu thereof "\$1.50."

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mitchell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—25.

Nays—None.

Absent—Senators Howe, Mackay, Morrow, Smith and Wade—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 143 was read third time.

On motion of Senator Josephi, senate bill No. 143 was recommitted to the committee on assessment and taxation, with instructions to entertain further amendments.

Senate bill No. 4 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Mackay, Mitchell, Mulkey, Porter, Proebstel, Reed, Selling and Mr. President—23.

Nays—Senators Bates and Patterson—2.

Absent—Senators Howe, Looney, Morrow, Smith and Wade—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Michell, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

EVENING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 7, 1899. }

The senate was called to order at 8 o'clock p. m. by the president.

The roll was called, and all of the senators were present except Senators Morrow, Smith, Howe and Wade.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 7, 1899. }

Mr. President :

Your committee on revision of laws, to whom was referred senate bill No. 97, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Amend by inserting after the word "time" in line 2 of section 8 of the original bill, the following words, "of the filing of."

AMENDMENT.

After the word "review" in line 4 of said section 8 of said original bill, insert the following: "Proceedings in probate, petitions for probate of wills, for letters of administration and complaints in law contest proceedings, divorce, injunction and mandamus suits."

AMENDMENT.

Amend by inserting the words "or proceedings" immediately following the word "action," in line 5 of said section 8 of said original bill.

AMENDMENT.

Strike out the word "ten" in line 5 of said original bill and insert therein the word "five."

AMENDMENT.

Insert after the word "dollars" on said line 5 of said section 8, the words "provided that."

AMENDMENT.

Strike out the words "in controversy," in lines 5 and 6 of said section 8 of said original bill, and insert instead the words "prayed for or demanded."

AMENDMENT.

Strike out the words "in controversy" in line 7 of said section 8 of said original bill, and insert instead the words "prayed for or demanded."

AMENDMENT.

Insert after the word "dollars" in line 1 of page 2 of the original bill the words "or less."

AMENDMENT.

Insert after the words "two thousand dollars," in lines 2 and 3 of page 2 of said original bill, the words "or less."

AMENDMENT.

Insert after the words "four thousand dollars," in lines 4 and 5 of said page 2 of said original bill, the words "or less."

AMENDMENT.

Insert after the words "eight thousand dollars," in line 6 of said page 2 of said original bill, the words "or less."

PERCY R. KELLY,
Chairman.

On motion of Senator Kelly, the amendments were adopted.

House bill No. 1 coming on for first reading, Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Looney, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 13 coming on first reading, Senator Dufur moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Looney, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Dufur moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Clem, Driver, Dufur, Fulton, Kelly, Kuykendall, Patterson, Porter, Reed and Mr. President—12.

Nays—Senators Bates, Brownell, Daly of Benton, Daly of Lake, Haines, Harmon, Haseltine, Josephi, Mackay, Michell, Mulkey, Proebstel and Selling—13.

Absent—Senators Howe, Looney, Morrow, Smith and Wade—5.

So the senate refused to suspend the rules.

House bill No. 15 coming on for first reading, Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Looney, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 16 coming on for first reading, Senator Josephi moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Looney, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Brownell moved that the rules be further suspended and that the bill be read second time now and by title only,

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Harmon, Kelly, Kuykendall, Mackay, Mulkey, Patterson, Porter, Proebstel, Reed and Mr. President—19.

Nays—Senators Daly of Benton, Haines, Haseltine, Josephi, Michell and Selling—6.

Absent—Senators Howe, Looney, Morrow, Smith and Wade—5.

So the senate refused to suspend the rules.

House bill No. 19 was read first time and passed to second reading without question.

Senator Looney was noted present.

House bill No. 131 coming on for first reading, Senator Kelly moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 25 coming on for first reading, Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 30 coming on for first reading, Senator Mulkey moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—25.

Nays—None.

Absent—Senators Howe, Looney, Morrow, Smith and Wade—5.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 33 coming on for first reading, Senator Harmon moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 81 coming on for first reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 92 was read first time and passed to second reading without question.

House bill No. 122 coming on for first reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 148 coming on for first reading, Senator Josephi moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 182 was read first time and passed to second reading without question.

House bill No. 279 coming on for first reading, Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 328 coming on for first reading, Senator Josephi moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President — 26.

Nays—None.

Absent—Senators Howe, Morrow, Smith, and Wade — 4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 11 coming on for first reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President — 26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 17 coming on for first reading, Senator Josephi moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President — 26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade — 4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 42 was read first time and passed to second reading without question.

House bill No. 84 coming on for first reading, Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Hasel-

tine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Kuykendall moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Kuykendall, Michell, Mulkey, Patterson, Porter, Proebstel and Mr. President—16.

Nays—Senators Cameron, Daly of Benton, Haseltine, Josephi, Mackay, Reed and Selling—7.

Absent—Senators Clem, Howe, Kelly, Looney, Morrow, Smith and Wade—7.

So the senate refused to suspend the rules.

House bill No. 90 was read first time and passed to second reading without question.

House bill No. 139 coming on for first reading, Senator Brownell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only.

Senator Brownell moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Driver, Dufur, Fulton, Harmon, Kelly, Kuykendall, Patterson, Porter and Mr. President—12

Nays—Senators Cameron, Daly of Benton, Daly of Lake, Haines, Haseltine, Josephi, Mackay, Mulkey, Proebstel, Reed and Selling—11.

Absent—Senators Clem, Howe, Looney, Michell, Morrow, Smith and Wade—7.

So the senate refused to suspend the rules.

House bill No. 140 coming on for first reading, Senator Kelly moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 214 coming on for first reading, Senator Brownell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 297 coming on for first reading, Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 353 coming on for first reading, Senator Cameron

moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 32 coming on for first reading, Senator Adams moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 93 coming on for first reading, Senator Kelly moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 94 coming on for first reading, Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 108 coming on for first reading, Senator Selling moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 119 coming on for first reading, Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 127 coming on for first reading, Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell,

Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 149 coming on for first reading, Senator Josephi moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 151 coming on for first reading, Senator Kelly moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 152 coming on for first reading, Senator Reed moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 156 coming on for first reading, Senator Brownell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 158 coming on for first reading, Senator Josephi moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 168 coming on for first reading, Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 249 coming on for first reading, Senator Michell

moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 359 coming on for first reading, Senator Fulton moved that it be indefinitely postponed.

The motion prevailed.

House bill No. 327 coming on for first reading, Senator Patterson moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 339 coming on for first reading, Senator Cameron moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 3 coming on for first reading, Senator Fulton

moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 9 coming on for first reading, Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 20 coming on for first reading, Senator Selling moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 41 coming on for first reading, Senator Harmon moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 57 coming on for first reading, Senator Mackay moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 73 coming on for first reading, Senator Selling moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 82 coming on for first reading, Senator Patterson moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mul-

key, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 95 coming on for first reading, Senator Patterson moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 99 coming on for first reading, Senator Kelly moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 117 coming on for first reading, Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 129 coming on for first reading, Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 155 coming on for first reading, Senator Brownell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 157 coming on for first reading, Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 177 coming on for first reading, Senator Adams

moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 194 coming on for first reading, Senator Patterson moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 208 coming on for first reading, Senator Josephi moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 241 coming on for first reading, Senator Daly of Benton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 263 coming on for first reading, Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 6 coming on for first reading, Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 23 coming on for first reading, Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mul-

key, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 36 coming on for first reading, Senator Selling moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 75 coming on for first reading, Senator Kelly moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 106 coming on for first reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 109 coming on for first reading, Senator Looney moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 154 coming on for first reading, Senator Patterson moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 188 coming on for first reading, Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 200 coming on for first reading, Senator Fulton

moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 210 coming on for first reading, Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 222 coming on for first reading, Senator Mulkey moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 242 coming on for first reading, Senator Patterson moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith, and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 238 coming on for first reading, Senator Harmon moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 265 coming on for first reading, Senator Adams moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 311 coming on for first reading, Senator Haines moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 346 coming on for first reading, Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 5 coming on for second reading, Senator Michell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 7 coming on for second reading, Senator Michell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on municipal corporations.

House bill No. 14 coming on for second reading, Senator Selling moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President — 26.

Nays—None.

Absent — Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 19 coming on for second reading, Senator Bates moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President — 26.

Nays—None.

Absent — Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on public buildings.

House bill No. 21 coming on for second reading, Senator Michell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President — 26.

Nays—None.

Absent — Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 26 coming on for second reading, Senator Kuykendall moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on public buildings.

House bill No. 37 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on counties.

House bill No. 48 coming on for second reading, Senator Selling moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

House bill No. 53 coming on for second reading, Senator Haseltine moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith, and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to a select committee, consisting of the senators from Multnomah county.

House bill No. 55 coming on for second reading, Senator Haseltine moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell; Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 67 coming on for second reading, Senator Proebstel moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 68 coming on for second reading, Senator Proebstel moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Has-

eltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 71 coming on for second reading, Senator Michell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

House bill No. 110 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on fishing industries.

House bill No. 116 coming for second reading, Senator Selling moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 118 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on fishing industries.

House bill No. 125 coming on for second reading, Senator Patterson moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to a select committee, consisting of the senators from Washington county.

House bill No. 128 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on fishing industries.

House bill No. 130 coming on for second reading, Senator Adams moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 252 coming on for second reading, Senator Cameron moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Reed, referred to the committee on revision of laws.

House bill No. 329 coming on for second reading, Senator Brownell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—None.

Absent—Senators Howe, Morrow, Smith and Wade—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,*Mr. President:*

January 28, 1899.)

Your committee on judiciary, to whom was referred senate bill No. 16, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Amend by striking out section 2.

AMENDMENT.

Amend by changing the numbers of the sections following section 2, so that the same may number consecutively from 2 to 108, inclusive.

AMENDMENT.

Amend section 10 of the printed bill by striking out the word "be" in line 26 of said section and inserting the word "by"; also by striking out the words "in the same way signify" in line 26 of said section 10 of the printed bill.

AMENDMENT.

Amend section 12 of the printed bill by striking out the words "the judge of" in line 2 of said section 12 of the printed bill.

AMENDMENT.

Amend section 15 by inserting after the word "application," in line 3 of said section 15, the words "and all entries and proceedings pertaining thereto"; also amend said section 15 by striking out the words "and all entries and proceedings," in lines 3 and 4 of said section 15 of the printed bill.

AMENDMENT.

Amend section 19 by striking out the words "in each week" in line 2 thereof; also by inserting after the word "published," in line 3 of said section 19 the words, "and of general circulation"; also by inserting after the word "published," in line 4 of said section 19 the words, "and of general circulation"; also by striking out the word "to," in line 10 of said section 19; also by inserting the word "circuit" before the word "court," in line 12 of said section.

AMENDMENT.

Amend section 22 by inserting the word "the" before the word "examiner," in line 4 of said section 22.

AMENDMENT.

Amend section 25 by striking out the word "cases," in line 7 of said section, and inserting instead the word "suit"; also by striking out the word

"chancery," being the first word of line 8 of said section 25, and insert instead the word "equity"; also by striking out the words "allowed to writ of error sued out," in line 20 of said section 25, and inserting the word "taken."

AMENDMENT.

Amend section 27 by striking out the word "that" before the word "time," on line 2 of said section 27, and insert the word "the."

AMENDMENT.

Amend section 29 by inserting the words "of the circuit" before the word "court," in line 8 of said section.

AMENDMENT.

Amend section 30 by inserting the word "certificate" before the word "No.," in line 2 of said section 30; also by inserting brackets before the word "date" and after the word "registration," in line 3 of said section 30.

AMENDMENT.

Amend subdivision 5 of section 39 by striking out the word "or," in line 15, after the words "such right of said section, and inserting the word "of"; also amend by striking out the words "writ or error" in said section 39, and line 15.

AMENDMENT.

Amend section 53 of the printed bill by inserting the word "five" after the word "exceeding," in line 3 of said section; also amend by striking out the words "up in," and inserting instead the word "upon," in line 6 of said section.

AMENDMENT.

Amend section 64 of the printed bill by striking out the word "charges," in line 2 of said section and inserting instead the word "charged."

AMENDMENT.

Amend section 65 of the printed bill by striking out the word "if," in line 5 of said section, and inserting the word "of."

AMENDMENT.

Amend section 67 of the printed bill by striking out the words "or upon the written opinion of two examiners," in line 8 of said section, and inserting instead the words "filing of an affidavit of the person applying for registration thereof."

AMENDMENT.

Amend section 68 by striking out the words "or opinion of two examiners," in line 1 of said section, and inserting instead the words "of the affidavit;" also amend by striking out the words "and in the latter event

upon the registrar also being satisfied that the proposed transfer, charge or other dealing is in accordance with the true intent and meaning of the trust, condition or limitation, he," lines 2, 3 and 4 of said section, and inserting the following words: "the registrar."

AMENDMENT.

Amend section 69 of the printed bill by striking out the words "or interest," before the word "therein," in line 1 of said section 69.

AMENDMENT.

Amend section 70 by striking out the word "is," and inserting instead the word "of," in line 1 of said section 70.

AMENDMENT.

Amend section 75 of the printed bill by striking out the words "a certified copy of the," in line 2 of said section; also amend said section by striking out the words "made in the probate or county court, as the case may be," in lines 2 and 3 of said section 75.

AMENDMENT.

Amend section 76 of the printed bill by striking out the word "purchase," in line 5 of said section, and inserting instead the word "purchaser."

AMENDMENT.

Amend section 78 by striking out the words "partition and," in line 4 of said section; also amend by striking out the word "be," in line 7 of said section, and inserting instead the word "the."

AMENDMENT.

Amend section 79 by inserting in line 2, after the word "commissioner," the following words: "commissioner in bankruptcy;" also amend said section by inserting the words "commissioner in bankruptcy" before the words "or other person," in line 5 of said section; also amend said section by inserting after the word "cases," in line 10 of said section, the following: "In case the duplicate certificate is not presented, the registrar shall enter a memorial of that fact upon the register."

AMENDMENT:

Amend section 80 of the printed bill by striking out the word "memorial" and inserting the word "memorials," in line 1 of said section; also amend said section by inserting before the word "having," in line 1, the following: "as are provided for in the preceding sections."

AMENDMENT.

Amend section 82 by striking out the figures "87," in line 6 of said section, and inserting instead the figures "86."

AMENDMENT.

Amend section 82 by striking out the word "services," in line 9 of said section, and inserting instead the word "service;" also amend said section by striking out the words "provided in proceedings in chancery," in line 10 of said section; also amend said section by inserting after the word "as," in line 10 of said section, the following: "in case of summons."

AMENDMENT.

Amend section 86 by striking out the words "master in chancery," in line 2 of said section; also amend said section by striking out the words "instead of filing a duplicate of his certificate of such sale to be recorded in the recorder's office;" also amend said section by striking out the words "the same," in line 4 of said section, and inserting instead the following: "a duplicate of his certificate of such sale."

AMENDMENT.

Amend section 94 of the printed bill by striking out the words "not to" in line 3 of said section, and inserting instead the word "nor."

AMENDMENT.

Amend section 101 of the printed bill by striking out the word "his" in line 6 of said section; also amend said section by striking out the words "state's attorney or county treasurer, if there be one in the county," and insert instead "district attorney;" also amend said section by inserting in line 18 before the words "and defend all," the following: "for the county treasurer;" also amend said section by inserting before the word "suits" in line 18 of said section, the word "such."

AMENDMENT.

Amend section 103 of the printed bill by striking out the words "guilty of a misdemeanor" in line 6 of said section; also amend said section by striking out the word "and," and inserting instead the word "or;" also amend said section by inserting before the words "not exceeding five years," the following: "in the penitentiary," in line 7 of said section.

AMENDMENT.

Amend section 106 of the printed bill by striking out the figures "\$5" in line 2 of said section, and inserting instead the figures "\$2.50;" also amend said section by striking out the figures "\$5," in line 4 of said section, and inserting instead the figures "\$2.50."

AMENDMENT.

Amend section 107 by striking out the figures "\$15," in line 3 of said section, and inserting instead the figures "\$7.50;" also amend said section by striking out the figures "\$5," in line 6 of said section, and inserting instead the figures "\$2.50;" also amend section 107 by striking out the word "included," and inserting instead the word "included," in line 6 of said section; also amend said section by striking out the figures "\$2," in line 8 of said section, and inserting instead the figures "\$1;" also amend said section by

striking out the figures "\$3," in line 10 of said section, and inserting instead the figures "\$1.50;" also amend said section by striking out the figures "\$5," in line 12 of said section, and inserting instead the figures "\$2.50;" also amend said section by striking out the figures "\$3," in line 14 of said section, and inserting instead the figures "\$1.50;" also amend said section by striking out the figures "\$5," in line 16 of said section, and inserting instead the figures "\$2.50;" also amend said section by striking out the figures "\$1," in line 17 of said section, and inserting instead the figures "50" cents; also amend said section by striking out the figures "\$1," in line 18 of said section, and inserting instead the figures "50" cents.

AMENDMENT.

Amend by striking out section 109.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendments were adopted.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 7, 1899.

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 149, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Mulkey, chairman of the committee on assessment and taxation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 7, 1899.

Mr. President:

Your committee on assessment and taxation, to whom was referred senate bill No. 143, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Add as section 14 of this act, the following:

"The provisions of this act shall not apply to the counties of Clatsop, Douglas, Crook, Klamath, Lake, Sherman, Gilliam, Umatilla, Morrow, Union and Wasco. Such section to precede the emergency clause."

B. F. MULKEY,
Chairman.

On motion of Senator Mulkey, the amendment was adopted.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

WEDNESDAY, FEBRUARY 8, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 8, 1899. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senators, Morrow, Smith and Wade.

The morning session of the senate was opened with prayer by Rev. Mr. Henderson, of Salem, Oregon.

On motion of Senator Haines, the reading of the journal of yesterday's proceedings was dispensed with.

Unanimous consent being given, Senator Fulton introduced senate joint resolution No. 14.

SENATE JOINT RESOLUTION NO. 14.

Whereas, by reason of a gross error, and duplicate addition of a list of footings of the assessment roll of Clatsop county in the year 1892, whereby the sum of two hundred and ninety-nine thousand three hundred and twenty dollars (\$299,320) was twice added in said footings; and

Whereas, the state levy for the year 1892 was seven mills on the dollar, and, upon the sum of two hundred and ninety-nine thousand three hundred and twenty dollars, amounts to the sum of two thousand and ninety-five dollars and twenty-four cents; and

Whereas, the state treasurer has the amount of two thousand and ninety-five dollars and twenty-four cents charged against Clatsop county on the books of his office on account of such error; therefore, be it

Resolved by the senate, the house concurring, That the state treasurer is hereby directed and empowered to credit Clatsop county with the amount of two thousand and ninety-five dollars and twenty-four cents upon the books of his office.

On motion of Senator Fulton, the resolution was referred to the committee on revision of laws.

By unanimous consent, Senator Daly of Lake introduced senate joint resolution No. 15.

SENATE JOINT RESOLUTION NO. 15.

Resolved by the senate, the house of representatives of the state of Oregon, a majority of all the members elected to each house concurring, That the following articles, as an amendment to the constitution of the state of Oregon, be proposed and referred to the legislative committee, and if the same shall be concurred in by a majority of all the members elected to each house thereof, and shall afterward be ratified by a majority of the electors of the state, then the same shall be a part of the constitution of the state of Oregon :

ARTICLE I.

That section 14 of article II of the constitution of the state of Oregon be, and the same is hereby abrogated, and in lieu thereof section 14 of article II of constitution of the state of Oregon shall be as follows: General elections shall be held on Tuesday next after the first Monday of November, biennially.

Ordered printed.

On motion of Senator Mulkey, the vote whereby the senate passed senate bill No. 4 was reconsidered.

On motion of Senator Mulkey, senate bill No. 4 was recalled from the house and referred to the committee on assessment and taxation.

Senate bill No. 29 was read third time.

On motion of Senator Harmon, senate bill No. 29 was laid on the table.

Senate bill No. 56 was read third time.

On motion on Senator Kelly, further consideration of senate bill No. 56 was made a special order for 3 o'clock p. m. today.

Senate bill No. 58 coming on for third reading, on motion of Senator Kelly, the bill was laid on the table.

Senate bill No. 78 was read third time.

Unanimous consent being given, the chief clerk corrected an error in the engrossed bill.

On motion of Senator Kuykendall, further consideration of senate bill No. 78 was made a special order for tomorrow at 2:30 o'clock p. m.

Senators Kuykendall, Daly of Lake and Fulton, appointed by the president on the part of the senate, as provided under house concurrent resolution No. 11, to visit the state university, were excused to visit that institution.

Senate bill No. 90 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Dufur and Mr. President—6.

Nays—Senators Bates, Daly of Benton, Driver, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Proebstel, Reed and Selling—16.

Absent—Senators Daly of Lake, Fulton, Haines, Kuykendall, Morrow, Porter, Smith and Wade—8.

So the bill failed to pass.

Senate bill No. 115 was read third time.

By unanimous consent, the figures 800 was changed to 600.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Proebstel, Reed, Selling and Mr. President—22.

Nays—None.

Absent—Senators Brownell, Daly of Lake, Fulton, Kuykendall, Morrow, Porter, Smith and Wade—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 142 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Porter, Proebstel, Selling and Mr. President—22.

Nays—None.

Absent—Senators Daly of Lake, Fulton, Kuykendall, Morrow, Patterson, Reed, Smith and Wade—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 164 coming on for third reading, on motion of Senator Kelly, further consideration of the bill was made special order for 3:30 o'clock p. m. today.

Senate bill No. 165 coming on for third reading, on motion of Senator Kelly, further consideration of the bill was made a special order for this afternoon, to follow the consideration of senate bill No. 164.

Senate bill No. 202 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney,

Mackay, Michell, Mulkey, Proebstel, Reed, Selling and Mr. President—21.

Nays—None.

Absent—Senators Brownell, Daly of Lake, Fulton, Kuykendall, Morrow, Patterson, Porter, Smith and Wade—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 6 coming on for third reading, on motion of Senator Harmon, further consideration of the bill was made a special order for 11 o'clock a. m. tomorrow.

Senate bill No. 24 was read third time.

Senator Mulkey demanded a call of the senate.

The roll was called, and those present were Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Haines, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—23.

Absent—Senators Daly of Lake, Fulton, Harmon, Kuykendall, Morrow, Smith and Wade—7.

Senator Harmon was noted present.

On motion of Senator Selling, further proceedings under call of the senate were dispensed with.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 10, a bill for an act prescribing the duties and compensation of county surveyors, in establishing lines and corners, etc.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Harmon, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 8, 1899. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Morrow, Fulton, Daly of Lake and Kuykendall.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 8, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 161, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 8, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bills Nos. 46, 136, 143, 146, 154, 166, 176 and 180, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senate bill No. 24 being under consideration, the same was taken up.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Daly of Benton, Harmon, Howe, Kelly, Reed, Smith and Wade—10.

Nays—Senators Bates, Clem, Driver, Dufur, Haines, Haseltine, Josephi, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Selling and Mr. President—16.

Absent—Senators Daly of Lake, Fulton, Kuykendall and Morrow—4.

So the bill failed to pass.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 8, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 66.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 8, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 13, authorizing the joint committee appointed under house concurrent resolution No. 5.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 13.

Resolved by the house, the senate concurring, That the committee appointed under house concurrent resolution No. 5 be and it is hereby authorized to employ one additional clerk, the experience of the committee thus far proving that the work cannot be done by one clerk.

Senator Smith moved that the senate concur in house concurrent resolution No. 13.

Senators Reed and Selling demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Cameron, Daly of Benton, Driver, Dufur, Mulkey, Reed and Smith—8.

Nays—Senators Adams, Bates, Clem, Haines, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Selling, Wade and Mr. President—17.

Absent—Senators Daly of Lake, Fulton, Harmon, Kuykendall and Morrow—5.

So the senate refused to concur in house concurrent resolution No. 13.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 8, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bill No. 340 and house concurrent resolution No. 11.

And the same are herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 8, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 237, a bill for an act relating to public roads and gateways.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 8, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 349, a bill for an act to prevent the manufacture and sale of adulterated commercial fertilizers.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 8, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 373, a bill for an act to assist in the erection of a monument to the memory of the Oregon soldiers who have died or may die in the Spanish-American war.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 8, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house herewith returns to you senate bill No. 4, as per request of senate just received.

And the same is herewith returned to you.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house bill No. 340, and house concurrent resolution No. 11, and soon thereafter stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 132, a bill for an act to authorize and provide for the construction of a fishway over the falls of the Willamette river at Oregon City, and to appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 8, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 7, a bill for an act amending the charter of Pendleton, with the attached amendments:

AMENDMENT.

Amend section 2 of article I, to read as follows:

Section 2. The boundary lines of the city of Pendleton shall be as follows: Begin at the southwest corner of Reserve addition to the city of Pendleton, run thence northwesterly along the boundary line of said Reserve addition to the south line of section 10, township 2 north, range 32 east of the Willamette meridian; thence west to the southwest corner of said section 10; thence north on the west line of said section 10 to the boundary line of said Reserve addition; thence northwesterly along said boundary line to the northwest corner of said Reserve addition; thence northeasterly along the northern boundary line of said Reserve addition to a point on said line where the said line is intersected by the west line of said section 10, township 2 north, range 32 east of the Willamette meridian; thence northerly along said line to the northwest corner of said section 10; thence easterly along the north line of said section 10 one-half mile to the northeast corner of the northwest quarter of said section 10; thence north to the southeast corner of the southeast quarter of section 3, in township 2, north of range 32 east of the Willamette meridian; thence east along subdivisional line to the south bank of the Umatilla river; thence easterly along the south bank of the Umatilla river to subdivisional line running north and south through the center of the southwest quarter of section 1 to the northwest quarter of section 12, in township 2 north, range 32 east of the Willamette meridian; thence south to the center of northwest quarter of section 12, in township 2 north, of range 32 east of the Willamette meridian; thence west on subdivisional line to south boundary line of said Reserve addition; thence southwesterly along said boundary line of said Reserve addition to the place of beginning.

AMENDMENT.

Amend section 1 of article I by striking out at the end of said section the words and phrase: "and may alter and break the same, or make a new one at their pleasure."

AMENDMENT.

Amend section 2 of article II to read as follows:

Section 2. The city of Pendleton is hereby divided into four wards, designated and bounded as follows:

Ward No. 1 shall consist of all that portion of the city east of the center line of Vincent street, and that portion of the city on the north side of the Umatilla river lying east of the line marked by the center line of Vincent street if the same were continued to the north limits of the city.

Ward No. 2 shall consist of all that portion of the city north of Court street and west of Vincent street, and west of the first ward on the north side of the Umatilla river.

Ward No. 3 shall consist of all that part of the city south of Court street, west of Vincent street and east of Willow street.

Ward No. 4 shall consist of all that part of the city south of Court street and west of Willow street.

AMENDMENT.

Amend section 4 of article II, to read as follows:

Section 4. The mayor shall be elected for two years and the members of the common council shall be elected for four years, and shall hold their offices until their successors are elected and qualified; *provided*, that the terms of office of all councilmen holding office in the city of Pendleton at the time this act is approved, or goes into effect, shall terminate on the first

day of January, 1900; *and provided, further*, that at the general election provided for in this act, held on the first Monday in December, 1899, there shall be elected in each ward one councilman to serve for a full period of four years and until his successor is elected and qualified; and in each ward there shall be elected one councilman to serve for a period of two years and until his successor is elected and qualified.

AMENDMENT.

Amend section 5 of article II, to read as follows:

Section 5. At the general election of officers, provided for in this act, to be held on the first Monday in December, 1899, there shall be elected a mayor, recorder, treasurer, and marshal, each of whom shall be elected for and hold office for two years and until their successors are elected and qualified; and there may be appointed, as hereinafter provided, an attorney, and street commissioner, and health officer, with the consent of a majority of all the members of the council; and they shall hold their offices during the pleasure of the council.

AMENDMENT.

Amend section 6 of article II, to read as follows:

Section 6. The general election of officers, as in this act provided, shall be held on the first Monday in December, 1899, and the general election shall be held on the first Monday in December biennially thereafter. Except as in this act especially provided, at the general biennial election, there shall be elected a mayor, recorder, treasurer, marshal and four councilmen, and as many more councilmen as may be necessary to fill for the remainder of any unexpired term any vacancies caused by death, resignation, removal or discharge of councilmen; and the office of councilmen shall always be filled so that one councilman shall be elected in each ward for a full term of four years at each regular biennial election, as in this act provided.

AMENDMENT.

Amend all of section 8 after the word "voter" in the thirty-second line of said section, so as to read "*provided, further*, that women, having the same general and property qualifications as qualified voters of the city of Pendleton under the provisions of this act, may have the right to vote at any special election for the purpose of determining any assessment or tax, or assessment or tax affecting real estate only. No person shall be entitled to vote at any general election in the city of Pendleton who has not, within said city, registered his intention to vote at said election not less than sixty days nor more than ninety days prior to said election, and it shall be the duty of the common council of the city of Pendleton to provide, and have kept in charge of the recorder, or such other person or persons to be known as registry clerks, as the city ordinance may determine, suitable books for the registry of electors required by this act, showing the name, age, occupation and residence within the city of each elector registering for the purpose of voting, and no person shall be entitled or allowed to vote except in the ward in which his residence is fixed, being otherwise qualified."

AMENDMENT.

Amend section 10 of article II by striking out the words, commencing on the third lines of said section, "and a mistake or error in this respect shall not invalidate any election otherwise legal."

AMENDMENT.

Amend section 4 of article III by inserting after the word "thereof" in line 4, and before the word "and," beginning the fifth line, the words "and of the time, place and necessity of registration."

AMENDMENT.

Amend subdivision 4 of section 2 of article IV, by striking out the words "or loan or credit thereof, or both," in the second line of said subdivision 4.

AMENDMENT.

Amend section 3 of article IV, by inserting after the word "law," in the fifth line of said section, and before the words "and should," the words "*provided*, that upon the adoption of every ordinance or resolution the vote in the council shall be by ayes and noes, and the vote of each member entered at large upon the minutes of the journal."

AMENDMENT.

Amend section 2 of article VI, by inserting after the word "notice," on the twelfth line of said section, the words "to all persons who may be affected by such proposed change, or may be on the street or alley to be laid out, established or widened, as the case may be," and to strike out of said section the words "to be given by," in the twelfth line, and all thereafter down to and including the word "viewers" in the eighteenth line of said section.

AMENDMENT.

Amend section 3 of article VI, by inserting after the word "upon" in the sixty-second line, and before the words "the estate" in said line, the words "land, real premises and."

AMENDMENT.

Amend section 5 of article VI, by striking out the word "*provided*," in the twenty-first line of said section, and all in said section thereafter.

AMENDMENT.

Amend section 1 of article X, by striking out "\$25,000," in the third line of said section, and insert in lieu thereof "\$10,000."

AMENDMENT.

Amend section 3 of article X, by striking out the words "for five miles," in the eighth (18th) line of said section, and by striking out the words "or may delegate such powers to others," in the thirty-third line of said section, the same being the last seven words of said section.

AMENDMENT.

Amend section 6 of article XI, by adding at the end of said section the words "and all such charges, expenses or disbursements, shall be a lien upon the land or premises from which such buildings or ruins were torn down or removed."

AMENDMENT.

Amend section 14 of article XII, by inserting in the ninth line and after the word "Pendleton," and before the words "at a city" in the succeeding line, the words "being qualified to vote at any special election for the purpose of determining any assessment or tax as provided in section 8 of article II, of this charter."

AMENDMENT.

Add to article XII, section 15, to read as follows :

Section 15. The city of Pendleton shall not have the power to issue, sell or dispose of any bonds authorized by this act until all contracts by said city made, or attempted to be made, by which the city has or may agree to pay any person, company, association or corporation any commission, charge or profit for selling or negotiating, or attempting to sell or negotiate the sale of said bonds or any thereof, shall be abrogated and canceled, and the city of Pendleton shall not have the power to make any agreement to any person, company, association or corporation any commission, charge or profit whatever for selling or negotiating the sale of any bonds authorized by this act, and any such contract made or attempted to be made shall be void, and any contract increasing, or attempting to increase, the indebtedness of said city above the face of said bonds and interest coupons attached, by which the city of Pendleton shall receive into its treasury, for the purposes authorized, any sum less than may be obtained upon or for the sale of said bonds in a free and open market, shall be void.

AMENDMENT.

Amend section 5 of article XIII, by striking out the words "in a," in the eighteenth line of said section, and by adding to said section the words "but in all applications for bids, the common council may require the bidders to furnish a good and sufficient undertaking or surety to the effect that the bidder shall be able to keep and perform all of the conditions of his bid and contract providing he is awarded the matter, thing or contract bid for."

AMENDMENT.

Amend section 8 of article XIII, by inserting after the word "firemen," and before the words "the sum," in the twenty-seventh line of said section, the words "exempt firemen or other persons by the laws of the state of Oregon exempt from the payment of road or poll taxes."

AMENDMENT.

Amend section 11 of article XIII, so as to read as follows :

Section 11. At the close of each fiscal year, the common council shall cause to be made a full, complete and detailed statement of all moneys received and expended by the city government during the preceding year, and on what account received and expended, classifying each receipt and expenditure under its proper head, and shall file and cause the same to be left in the office of the city recorder and be open to public inspection, but shall in no event incur any expense whatever for the publication thereof in any newspaper or otherwise.

AMENDMENT.

Amend section 12 of article XIII, to read as follows :

Section 12. All notices provided for in this act, unless otherwise especially

provided for, shall be given by posting the same in three public places within said city, and for such time as may be required by this act, or by ordinance not in conflict herewith.

AMENDMENT.

Amend section 13 of article XIII, by striking out all of said section from and after the word "city" in the fifth line of said section.

AMENDMENT.

Amend section 17 of article XIII, by striking out the words "or otherwise dispose of said streets," in the seventh and eighth lines of said section.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

The president called Senator Michell to the chair.

On motion of President Taylor, the amendments reported by the house on senate bill No. 7, were concurred in by the senate.

Senate bill No. 2 was read third time.

Senator Mackay demanded a call of the senate.

The roll was called, and those present were Senators Adams, Bates, Cameron, Clem, Daly of Benton, Driver, Harmon, Haseltine, Howe, Josephi, Looney, Mackay, Mulkey, Porter, Proebstel, Reed, Selling, Wade and Mr. President—19.

Absent—Senators Brownell, Daly of Lake, Dufur, Fulton, Haines, Kelly, Kuykendall, Michell, Morrow, Patterson and Smith—11.

Senators Michell, Kelly, Smith, Dufur and Patterson were noted present.

On motion of Senator Mackay, further proceedings under the call of the senate were dispensed with.

President Taylor resumed the chair.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Driver, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—23.

Nays—Senator Dufur.

Absent—Senators Brownell, Daly of Lake, Fulton, Haines, Kuykendall and Morrow—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 56 being made a special order for 3 o'clock p. m. today, and that hour having arrived, the same was taken up for consideration.

Senate bill No. 56 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Daly of Lake, Fulton, Kuykendall, Morrow and Reed—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Mulkey, the vote whereby senate bill No. 24 failed to pass was reconsidered.

On motion of Senator Mulkey, the bill was referred to the committee on assessment and taxation, with leave to report at any time.

Senate bill No. 63 coming on for third reading, on motion of Senator Looney, the bill was made a special order for Friday, February 10, at 2 o'clock p. m.

Senate bill No. 164 being made a special order for 3:30 o'clock p. m. today, and that hour having arrived, the same was taken up for consideration.

Senate bill No. 164 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Daly of Lake, Fulton, Kuykendall, Morrow and Reed—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 165 being made a special order for this hour, the same was taken up for consideration.

Senate bill No. 165 was read third time.

The title was amended by unanimous consent.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Haines, Haseltine, Josephi, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—23.

Nays—None.

Absent—Senators Daly of Lake, Fulton, Harmon, Howe, Kelly, Kuykendall and Morrow—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 229. Senator Josephi (by unanimous consent). A bill for an act to establish a seamans' protective board and to protect seamen on the Columbia and Willamette rivers.

Senator Josephi moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Daly of Lake, Fulton, Kuykendall and Morrow—4.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senate bill 230. Senator Brownell (by unanimous consent). A bill for an act to provide for a separate board for the transaction of county business in the county of Clackamas.

Senator Brownell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Haines, Harmon, Haseltine, Josephi, Kelly, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—24.

Nays—None.

Absent—Senators Daly of Lake, Fulton, Howe, Kuykendall, Morrow and Mulkey—6.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Brownell moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Haines, Haseltine, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—24.

Nays—None.

Absent—Senators Daly of Lake, Fulton, Harmon, Howe, Kuykendall and Morrow—6.

So the rules were suspended and the bill was read second time by title only.

Senator Brownell moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Haines, Harmon, Haseltine, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Daly of Lake, Fulton, Howe, Kuykendall and Morrow—5.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Haines, Harmon, Haseltine, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith and Mr. President—24.

Nays—Senator Wade.

Absent—Senators Daly of Lake, Fulton, Kuykendall, Howe and Morrow—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Josephi moved that the rules be suspended and that senate bill No. 229 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Brownell, Cameron, Daly of Benton, Driver, Dufur, Haines, Haseltine, Howe, Josephi, Kelly, Michell, Mulkey, Patterson, Porter, Proebstel, Smith, Wade and Mr. President—19.

Nays—Senators Adams, Clem, Looney, Reed and Selling—5.

Absent—Senators Daly of Lake, Fulton, Harmon, Kuykendall, Mackay and Morrow—6.

So the senate refused to suspend the rules.

Senate bill No. 70 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Daly of Benton, Harmon, Haseltine, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Proebstel, Selling, Smith and Wade—17.

Nays—Senators Cameron, Clem, Driver, Dufur, Haines, Howe, Porter, Reed and Mr. President—9.

Absent—Senators Daly of Lake, Fulton, Kuykendall and Morrow—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 8, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 6.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 8, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 6, relating to free textbooks.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE JOINT RESOLUTION NO. 6.

Whereas, in nearly all school districts of the state of Oregon there are many indigent pupils whose parents and guardians are unable to purchase the necessary schoolbooks; and

Whereas, the state of Oregon, by virtue of its ability to reuse school-books, and thereby save the people of the state of Oregon large sums of money by purchasing the public schoolbooks of the state and loaning the same to school districts and pupils; and

Whereas, we are considering the advisability of adopting a free textbook system for our public schools; and

Whereas, the public school funds of the state might be employed to as good effect in the premises of free school textbooks, as in any other manner; now, therefore, be it

Resolved by the legislative assembly of the state of Oregon, That the state board of education of the state of Oregon be and the same is hereby requested to examine the free textbook systems of our sister states and report to the next biennial session of the legislature: (1) As to the advisability of adopting free school textbooks in the state of Oregon; (2) a conservative estimate of the probable annual expense to the state of Oregon in maintaining a free textbook system in our public schools; (3) the form of a law that said board would advise in the adoption of a free textbook system.

On motion of Senator Selling, the resolution was laid on the table.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 8, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 9.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 72 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Daly of Benton, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Mackay, Mulkey, Proebstel, Selling, Smith, Wade and Mr. President—16.

Nays—None.

Not voting—Senators Clem, Driver, Looney and Michell—4.

Absent—Senators Adams, Brownell, Cameron, Daly of Lake, Fulton, Kuykendall, Morrow, Patterson, Porter and Reed—10.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 8, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has

passed house bill No. 347, a bill for an act to provide for the times and places of holding the circuit court in the second judicial district.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 8, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 206, a bill for an act relating to liens for laborers on mining claims. etc.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 8, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 114, a bill for an act for the protection of deer.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 8, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bills Nos. 22 and 163.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house bills Nos. 22 and 163, and soon thereafter stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 8, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 46, a bill for an act providing for a road poll tax of \$2.00.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Mulkey, chairman of the committee on assessment and taxation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 8, 1899.

Mr. President:

Your committee on assessment and taxation, to whom was referred senate bill No. 4, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

In line 7, printed bill, strike out "interest not to exceed 8 per centum per annum, and not less than."

AMENDMENT.

In line 6, strike out "a" and insert in lieu thereof "the."

B. F. MULKEY,
Chairman.

On motion of Senator Mulkey, the amendments were adopted. Senate bill No. 4 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Daly of Lake, Fulton, Kuykendall, Morrow and Reed—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 151 coming on for third reading, on motion of Senator Smith, the bill was recommitted to the committee on revision of laws.

On motion of Senator Michell, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

THURSDAY, FEBRUARY 9, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 9, 1899.)

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senator Morrow.

The morning session of the senate was opened with prayer by Rev. Mr. Pratt, of Salem, Oregon.

On motion of Senator Adams, the reading of the journal of yesterday's proceedings was dispensed with.

On motion of Senator Daly of Lake, the courtesies of the senate were extended to Hon. L. B. Rinehart, and he was invited to a seat within the bar.

Senate bill No. 156 was read third time.

On motion of Senator Reed, further consideration of the bill was indefinitely postponed.

Senate bill No. 158 was read third time.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 8, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 257, a bill for an act to regulate the salaries of county judges.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 8, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 239, a bill for an act to fix the compensation of the clerk of the supreme court.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 7, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 230.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 6 being made a special order for 11 o'clock a. m. today. and that hour having arrived, the bill was taken up for consideration.

Senate bill No. 6 was read third time.

Senator Michell moved that senate bill No. 6 be recommitted to the committee on judiciary.

Senators Michell and Selling demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senator Michell.

Nays—Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Absent—Senator Morrow.

So the senate refused to recommit the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Morrow.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 9, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 232, a bill for an act to regulate the bringing of sheep from any other state.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 9, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 207, a bill for an act to provide for placing United States flags upon schoolhouses and public buildings.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senate! bill No. 158 coming up for further consideration, on motion of Senator Dufur the bill was recommitted to the committee on judiciary, with instructions to entertain further amendments.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 9, 1899.)

Mr. President:

Your committee on engrossed bills, to whom was referred senate bills Nos. 16, 87, 97, 138, and 149, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 9, 1899.)

Mr. President:

Your committee on enrolled bills, to whom was referred senate bills Nos. 230, 66, and senate concurrent resolution No. 6, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

On motion of Senator Haines, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,

SALEM, Oregon,

February 9, 1899.)

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senator Morrow.

Mr. Lee, the reading clerk of the senate, being absent on account of illness, by unanimous consent Frank Davey acted as reading clerk during the afternoon session.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

SALEM, Oregon,

February 9, 1899.)

Mr. President:

I am directed by the speaker to inform you that he has signed senate bill No. 230.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate bill No. 230, and soon thereafter stated that he had signed the same.

The president submitted to the senate the following communication:

PORTLAND, OREGON, February 7, 1899.

Mr. W. Kuykendall, Salem, Oregon:

DEAR SIR:—Your favor of the 16th inst., addressed to our manager, Mr. R. Koehler, has been referred to this office.

Confirming conversation with you today by telephone, we will make special rates of one fare for the round trip from all stations from Roseburg north, to Salem and return, limiting tickets to forty-eight hours. For the accommodation of those from Portland and vicinity, we will run a special train from Portland to Salem and return on February 14, leaving Portland at 8 o'clock a. m., and, returning, leave Salem at 6 o'clock p. m.

Would suggest that you give as much publicity as possible to the reduced rates and the special train, as we are anxious to see a large attendance on this occasion.

Yours truly,

C. H. MARKHAM,

Senate bill No. 231. Senator Howe (by unanimous consent). A bill for an act to incorporate the town of Carlton.

Senator Howe moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 27.

Nays—None.

Absent—Senators Brownell, Dufur and Morrow — 3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Howe moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 28.

Nays—None.

Absent—Senators Morrow and Porter—2.

So the rules were suspended and the bill was read second time by title only.

Senator Howe moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passed.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Porter—2.

So the rules were suspended and the bill was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Morrow and Porter—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 9, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bill No. 66 and senate concurrent resolution No. 6.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate bill No. 66 and senate concurrent resolution No. 6, and soon thereafter stated that he had signed the same.

Senate bill No. 232. Senator Smith (by unanimous consent).
A bill for an act to incorporate the town of Burns.

Senator Smith moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Morrow and Porter—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Smith moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Morrow—2.

So the rules were suspended and the bill was read second time by title only.

Senator Smith moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—Senator Bates.

Absent—Senators Brownell, Morrow and Patterson—3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe,

Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Morrow—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 9, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bills Nos. 195 and 220, and house concurrent resolution No. 12.

And the same are herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house bills Nos. 195, 220, and house concurrent resolution No. 12, and soon thereafter stated that he had signed the same.

Senate bill No. 233. Senator Haseltine (by unanimous consent). A bill for an act to prevent the shipment of infected fruits out of the state of Oregon.

The bill was read first time and passed to second reading without question.

House bill No. 179 was read third time.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 9, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 89, a bill for an act providing for loaning of the irriducible school fund at 6 per cent. interest.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 9, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 316, a bill for an act relating to normal schools.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 9, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 14, providing for a joint convention of the senate and house, to be held in the house of representatives on February 14.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 14.

Resolved by the house, the senate concurring, That a joint convention of the senate and house be held in the house of representatives on Tuesday, February 14, at the hour of 8 o'clock p. m., for the purpose of electing a state librarian, a boatman at Astoria and a state dairy and food commissioner, as required by law.

On motion of Senator Fulton, the senate concurred in house concurrent resolution No. 14.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 9, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 166, a bill for an act to regulate and license fire insurance companies in this state.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

Senate bill No. 78 being made a special order for 2:30 o'clock p. m. today, and that hour having arrived, the bill was taken up for consideration.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Clem, Daly of Lake, Driver, Dufur, Haines, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mulkey, Proebstel, Selling, Wade and Mr. President—17.

Nays—Senators Cameron, Daly of Benton, Howe, Mackay, Michell and Patterson—6.

Absent—Senators Brownell, Fulton, Harmon, Morrow, Porter, Reed and Smith—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 179 was taken up for consideration, the question being, "Shall the bill pass?"

Senator Harmon moved that the bill be recommitted to the committee on judiciary.

The motion was lost.

On motion of Senator Selling, further consideration of senate bill No. 179 was indefinitely postponed.

Unanimous consent being given, Senator Reed, chairman of the special committee to whom was referred house joint memorial No. 4, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 6, 1899. }

Your special committee, to whom was referred house joint memorial No. 4, respectfully report the same back and recommend that the same be amended by substituting therefore the accompanying resolution, and that such resolution be adopted.

A. W. REED,
Chairman.

HOUSE CONCURRENT RESOLUTION NO. 11.

Resolved by the house, the senate concurring, That out of respect for the decent sentiment and convictions of the people of this nation, we protest against the seating of Brigham H. Roberts, of Utah, in the house of representatives of the United States.

Resolved, further, That a copy of this resolution be forwarded by the Secretary of State for the State of Oregon to each of our representatives in congress.

On motion of Senator Reed, the report was adopted.

Senate bill No. 193 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Lake, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—22.

Nays—None.

Absent—Senators Daly of Benton, Driver, Dufur, Fulton, Kelly, Michell, Morrow and Reed—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 136 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mulkey, Porter, Proebstel, Reed, Wade and Mr. President—23.

Nays—Senators Haines, Michell, Patterson, Selling and Smith—5.

Absent—Senators Mackay and Morrow—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 9, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 143, a bill for an act to provide for the preservation and protection of forest game and wild fowl.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 210 was read third time.

By unanimous consent the following amendment was made to section 14—the words: "for sale in quantities exceeding twenty-five pounds per week;" and the chief clerk was instructed to insert the same.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Michell and Morrow—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 9, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 178, a bill for an act relating to the return of sale of executions or administrators.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 9, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 275, a bill for an act to incorporate the city of Prineville.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 9, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bill No. 38.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 9, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 96, a bill for an act to amend the game laws of 1895.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 9, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 228, a bill for an act to employ prisoners on roads and highways.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 9, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 341, a bill for an act to prohibit exhibition of mesmerism, hypnotism and artificial somnambulism.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house bill No. 38, and soon thereafter stated that he had signed the same. Senate bill No. 12 was read third time.

On motion of Senator Haines, further consideration of senate bill No. 12 was indefinitely postponed.

Senator Daly of Lake moved that the rules be suspended and that house bill No. 275 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Michell, Mulkey, Porter, Proebstel, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Looney, Mackay, Morrow, Patterson and Reed—5.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Daly of Lake moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only.

Senator Daly of Lake moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Clem, Michell and Morrow—3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Morrow and Patterson—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Kuykendall, chairman of the committee on education, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 9, 1899. }

Your committee on education, to whom was referred senate bill No. 3, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following attached amendments:

AMENDMENT.

Amend the title so as to read as follows:

A bill for an act to provide for the establishment of a uniform and general system of public schools in Oregon, and to provide for the election, powers, duties and compensation of the state superintendent of public instruction, and to fix the beginning and end of the school year, and to repeal all titles I, II, III, IV and V, chapter XVI of the laws of Oregon, as compiled and annotated by W. Lair Hill, and to repeal an act entitled an act to amend section 2802 of title IV of chapter XVI of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the powers and duties of directors of school districts, and contract indebtedness and issue bonds by school districts, and legalize school district bonds heretofore issued, filed in the office of the secretary of state, February 23, 1893, and to repeal an act entitled an act to encourage more thorough preparation of teachers for public school work in the state of Oregon, approved February 20, 1891, and to repeal an act entitled an act establishing school districts in towns of ten thousand inhabitants, approved October 26, 1882, and all acts amendatory thereof, and to repeal an act entitled an act authorizing school districts to incur indebtedness for building school buildings or purchasing lands for school purposes, approved October 15, 1890, and to repeal an act entitled an act to define the qualifications of voters at all school meetings and school elections, and to provide for the establishment and regulation of polling places and elections in districts having a school population of more than two thousand, approved October 15, 1898, and to repeal an act entitled an act to provide suitable times for holding teachers' quarterly public examinations; to provide for the disposition of examination papers; and to amend sections 1 and 2 of an act entitled an act to provide suitable times for holding teachers' quarterly public examinations, and to repeal all acts and parts of acts in conflict herewith.

AMENDMENT.

Strike out all after the title and insert the following:

Be it enacted by the legislative assembly of the state of Oregon :

TITLE I—SUPERINTENDENT OF PUBLIC INSTRUCTION.

Section 1. The office of superintendent of public instruction in this state is hereby declared to be a separate and distinct office and the present incumbent of said office shall hold the same during the term for which he has been elected and until his successor is duly elected and qualified.

Section 2. A superintendent of public instruction shall be elected at the general election of the year 1902, and every four years thereafter, and shall qualify and enter upon the duties of his office on the second Monday in January following his election. He shall receive annually a salary of \$2,000, payable by the state as the salaries of other state officers are paid.

Section 3. No person shall be eligible to the office of superintendent of public instruction who has not, at the time of his election or appointment, had at least thirty months' teaching experience, twelve of which shall be in the schools of Oregon, and who does not hold a state certificate or a state diploma of Oregon, and no secretary of state shall place the name of a candidate for the office of superintendent of public instruction on an official ballot, unless said candidate shall furnish proof to such secretary of state that said candidate has had the teaching experience and one of the certificates provided for in this act.

Section 4. He shall be provided with an office at the state capital, furnished with the necessary stationery, lights, fuel, etc., to be paid for by the state, as the expense of other state officers are paid.

Section 5. *First*—It shall be the duty of the superintendent of public instruction to exercise a general superintendence of the county and district school officers and the public schools of this state.

Second—He shall visit, as far as practicable, every county in the state annually in the interest of education.

Third—He shall attend county institutes, when practicable, and shall assist in the organization and development of institute work in each county. He shall visit, as often as practicable, the principal schools of the state for the purpose of inspection and supervision; and he shall also keep statistics of the condition of schools, buildings, grounds, appurtenances, apparatus, libraries, the conduct and standing of pupils and methods of instruction, and the discipline and government of schools, etc.

Fourth—He shall visit in person, when practicable, all the chartered educational institutions of the state, and shall secure such statistical information relative to number of students, teachers, value of property, libraries, salaries and courses of study, as he may deem advisable for the advancement of education and for the information of the legislature.

Fifth—He shall prepare and distribute to the various county school superintendents in the state such a uniform series of blanks, registers, forms, rules and regulations as he may deem necessary for the administration of the school laws, and the secretary of state shall cause the same to be printed. County school superintendents shall receipt to the superintendent of public instruction for all supplies received, and distribute the same to the various district clerks, taking their receipts for the same.

Sixth—He shall act as secretary of the state board of education. He shall annotate and compile all school laws ordered published by the state board of education; said compilation shall include all blank forms necessary to secure a uniformity of system in the administration of the school laws throughout the state.

Seventh—He shall hold one convention in each year, of city and county superintendents, in at least four convenient and accessible towns or cities in the state, for the purpose of consultation in regard to the supervision and management of public schools; and it shall be the duty of county and city superintendents to attend at least one such convention annually and take part in its proceedings. County superintendents shall be allowed by their

respective county courts, and city superintendents by their respective district school boards, to be paid out of the same fund as the salaries of such superintendents are paid, for attending the convention annually, all necessary expenditures for travel from their respective residences to the place of holding the nearest and most accessible convention and returning home; *provided*, that no such expenditure shall be allowed unless the superintendent shall present a certificate from the state superintendent or the presiding officer of such convention, if the state superintendent be absent therefrom, to such county court or district school board, to the effect that said county or city superintendent has attended the convention the whole of the time it was in session, which certificate the state superintendent or presiding officer shall give to such superintendent when warranted in fact.

Eighth—He shall, whenever he may deem the same expedient, issue printed letters and circulars to school officers pertaining to any subject relative to the duties of teachers, directors, pupils, parents and guardians, the management of schools, and all other questions of general and special interest to the cause of education.

Ninth—He shall decide, without cost to the parties, all questions of doubt that may be submitted to him, and all disputes that may be appealed to him from the county school superintendents, concerning the proper administration of the school laws of this state, and of the rules and regulations of the state board of education, and concerning the ministerial duties of school officers and teachers, but he may, in his discretion, submit any such question or dispute to the state board of education, who shall then decide the same. The state superintendent, or the state board of education, may require the opinion, in writing, of the attorney-general concerning such questions or disputes, whose duty it shall be to give the same. The state board of education shall adopt reasonable rules of procedure to govern the submission of such questions and the trials and appeals provided for in this act. The decision of the state superintendent or of the state board of education, as herein provided, shall guide school officers and teachers in the discharge of their duties, in respect to the matters so decided; but this section shall not be construed to deprive any person of his ordinary remedy in a court of competent jurisdiction.

Tenth—He shall, once in each year, cause to be held a state teachers' association, at such time and place as in his judgment will best promote the general interests of education.

Eleventh—He shall make out, quarterly, a statement of the necessary traveling expenses incurred in the discharge of his duties, which claims shall be audited and paid as other claims against the state; *provided*, that such sum shall not exceed \$900 per annum; *provided*, that no item of expense, for traveling or otherwise, shall be allowed unless evidenced by a proper voucher signed by the party to whom the amount was paid, and every such claim shall be verified by the superintendent of public instruction.

Section 6. The superintendent of public instruction shall report to the legislative assembly biennially, in the same manner and at the same time that other state officers make their reports. His report shall contain—

First.—The general condition of the public schools of the state.

Second.—The amount of school money apportioned among the several counties, and the sources whence such money was derived.

Third.—The amounts raised by county and district taxes, and the amounts paid for teachers' salaries, buildings, furniture, etc.

Fourth.—The series of textbooks authorized in accordance with the provisions of the law.

Fifth.—The rules and regulations prescribed by the state board for the government of public schools.

Sixth.—The number and grade of the schools in each county.

Seventh.—The number of persons between the ages of four and twenty years, the number attending public schools, the number attending private schools, and the number not attending any school.

Eighth.—Any and all information that, in his judgment, may be useful to the public and for the advancement of the educational interests of the state.

TITLE II—STATE BOARD OF EDUCATION.

Section 7. The governor, secretary of state and superintendent of public instruction shall constitute a state board of education.

Section 8. The meetings of the board shall be held semiannually, at the state capitol, on the first Monday in January and July. All needed stationery for the use of the board shall be furnished by the secretary of state, and any printing authorized by the board shall be done by the state printer, at rates allowed by law for other state work.

Section 9. The board shall have power—

1. To authorize a series of textbooks to be used in the public schools, in accordance with the provisions of the statutes of this state.

2. To prepare a state course of studies for grammar-grade schools. The secretary of state shall cause the courses of study to be printed and the state superintendent shall send copies of the same to the various county superintendents, who shall properly distribute them to the boards of directors of the several districts, for use in public school work.

3. To prescribe a series of rules and regulations for the general government of public schools, and for the maintenance of discipline therein.

4. To use a common seal.

5. To order any printing that may be necessary to carry into effect the provisions of this act, said printing to be done by the state printer.

6. To grant state certificates and state diplomas to such persons as are found upon examination by the state board of examiners, hereinafter defined, to possess a good moral character, thorough scholarship and successful experience in teaching. The examination for state certificates and state diplomas shall be upon questions prepared by the state board of examiners; said questions shall be based on the textbooks adopted by the state and shall cover all the branches required for a first-grade county certificate, and in addition thereto, algebra, bookkeeping, composition, physical geography, physics and psychology; those for state diplomas, in addition to the foregoing, botany, plane geometry, general history and English literature. Examinations for state certificates and state diplomas shall be conducted in accordance with the rules and regulations adopted by the state board of education, consistent with the laws of the state.

A state certificate shall authorize the holder thereof to teach in any public school in the state for five years thereafter, and the state diploma shall confer a like authority for life. State certificates shall be granted to such applicants, only, who have had thirty months' teaching experience with approved success, at least nine of which shall be in the schools of Oregon, and who shall make an average of eighty-five per cent. in all the branches herein prescribed, and shall not fall below seventy per cent. in any one branch.

State diplomas shall be granted to such applicants, only, as have had at least sixty months' teaching experience with approved success, fifteen of which shall have been in the schools of Oregon, and shall have made an average of eighty-five per cent. in all branches herein prescribed, and shall not fall below seventy per cent. in any one branch. Any applicant for a state certificate or a state diploma who shall attain the required percentages in one or more of the designated branches, but shall fall in one or more of such branches, shall be credited with such required percentages and shall be allowed to complete the examination in the remaining branches at the two following examinations, and shall then receive a state certificate or state diploma in accordance with the result of all the examinations.

Section 10. Holders of state certificates, state diplomas and life diplomas issued prior to the enactment of this law, shall be granted state certificates or state diplomas under the provisions of this act on the following conditions:—

1. Any person holding a state certificate according to the provisions of the law in force when granted, and possessing the other qualifications herein required for a state certificate, shall be granted a state certificate under the provisions of this act on passing the required examination on additional subjects prescribed for a state certificate, excepting the branches required for a first-grade county certificate.

2. Any person holding a state diploma, obtained according to the provisions of the law in force when granted, and possessing the other qualifications herein required for a state diploma, shall be granted a state diploma on passing the required examination on the additional subjects required for a state diploma, excepting the branches required for a first-grade county certificate.

3. Any person holding a life diploma obtained according to the provisions of the law in force when granted, and possessing the other qualifications for a state diploma, shall be granted a state diploma under this act on passing the required examination on the additional subjects prescribed for a state diploma, excepting the branches required for a first-grade county certificate.

Provided, that this section shall not be so construed as to invalidate state papers issued under former laws.

Section 11. Applicants for a state certificate shall pay \$4, and for a state diploma \$6, which fee shall be paid by the superintendent of public instruction, within thirty days, to the state treasurer, taking his receipt therefor. All money so received by the state treasurer shall be credited to the state board of examiners fund. For the purpose of defraying the expenses of the state board of examiners for preparing questions and examining papers for state certificates and state diplomas, the state board of education shall draw an order on the state treasurer for such sums as may be necessary to defray such expenses; *provided*, that such sum shall not exceed the amount of the state board of examiners' fund in the state treasury.

Section 12. The state board of education shall appoint not less than four nor more than nine professional teachers to assist in the examinations for state papers, who shall be known as the state board of examiners, and the said teachers shall receive \$5 per day while engaged in their duties.

Section 13. The state board of education may, at its discretion, grant without examination state certificates and state diplomas to persons presenting authenticated papers from other states of grade and kind like those granted by the state board of education in this state; *provided*, that the state board of education is satisfied that said papers were secured by passing an examination equivalent to that given by the state board of education of this state for state papers; *provided*, that the state board of education may, at its discretion, grant a permit for one year to persons who hold papers of the grade and kind equivalent to a state certificate, but have not had the requisite amount of teaching experience in Oregon to secure a state certificate. A permit granted by the board shall authorize the holder to teach in any public school in the state. Applicants for state certificates and state diplomas must present certificates of good moral character and that they have taught successfully in their several counties, from the county superintendents of all the counties in which the applicant has taught for three years immediately preceding the time of making such application, but the state board, if otherwise satisfied as to the qualifications of said applicant, may grant the certificates or diplomas without certificates from the county superintendents. All persons holding such diplomas or certificates, before engaging to teach in any public school in this state, shall present such diploma or certificate to the superintendent of the county in which the holder proposes to teach, to be registered by the superintendent, and such holders of diplomas and certificates, while they remain in such county, shall attend institutes, assist in institute work and perform such other reasonable duties as may be required by the county superintendent, the same as other teachers of the county are required to do.

Section 14. If any holder of a diploma or of a certificate as aforesaid, shall refuse to perform his duties as herein specified, then it shall be the duty of the county superintendent to report such unprofessional conduct to the state board of education. The state board of education may revoke any certificate or diploma granted by it on the proof that the holder has been guilty of immoral conduct rendering him unfit to be a teacher; but before any revocation shall be made, the person accused shall have due and reasonable notice of the nature of the charge against him, and shall have an opportunity to be heard in person and by counsel, and to produce any witnesses whose testimony he may desire.

Section 15. The following diplomas shall be considered equivalent to the teaching experience required for a state certificate :

1. Diplomas from the regular state normal schools.

2. Diplomas from any chartered institution of this state of collegiate or university grade granted upon the completion of a course consisting of at least seven years' work above the eighth grade of the public school system of this state, on the basis of twenty recitations per week and thirty-two weeks per year, the state board of education being the judge of the standard of such schools ; *provided*, that this section shall not be so construed as to permit the issuance of any state certificate or state diploma without the examination provided for in section 9 of this act.

3. Holders of state certificates granted under the provisions of this section may become candidates for a state diploma when they have taught thirty months with approved success from the date of their state certificate; *provided*, that this section shall not be so construed as to prevent the issuing of state diplomas to the pupils of state normal schools and chartered institutions who may graduate from such institutions before September 1, 1899, under the provisions of acts in force February 1, 1899.

Section 16. The proceedings of each session of the state board of education shall be published for general distribution, containing, in addition to the ordinary proceedings, the names of the successful applicants and the certificates granted.

TITLE III—COUNTY SCHOOL SUPERINTENDENT.

Section 17. There shall be elected by the legal voters of each county at the biennial election in the year 1900, and every four years thereafter, a county school superintendent who shall take his office on the first Monday in August following his election. He shall hold his office for four years, and until his successor is chosen and qualified. But the present office of the county superintendent of schools is not affected by this section until the election in the year 1900. No person shall be eligible to the office of county school superintendent who has not, at the time of his election or appointment, taught in the schools of the state at least nine school months, and who does not hold a first-grade county certificate, a state diploma or a state certificate in Oregon, and no county clerk shall place the name of a candidate for the office of county school superintendent on an official ballot unless said candidate shall furnish proof to such county clerk that said candidate has taught in the state for nine school months, and also holds one of the certificates as provided for in this act.

Section 18. The superintendent elect shall qualify on or before the first Monday in August, by taking an oath to support the constitution of the United States and of the state of Oregon, and to faithfully discharge the duties required of him by this act ; said oath shall be reduced to writing, subscribed to and placed on file in the county clerk's office of his county.

Section 19. County superintendents of the several counties of this state shall receive as compensation for their services the following annual salaries, payable in the same manner as the salaries of other county officers are paid, and they shall receive no other compensation whatever :

Baker	\$1,200 00
Benton	1,000 00
Clackamas	
Clatsop	
Columbia	550 00
Coos	900 00
Crook	400 00
Curry	
Douglas	1,000 00
Gilliam	500 00
Grant	700 00
Harney	500 00
Jackson	900 00
Josephine	400 00
Klamath	500 00
Lake	700 00
Lane	1,200 00
Lincoln	400 00
Linn	1,000 00
Malheur	500 00
Morrow	800 00
Multnomah	1,800 00
Polk	1,100 00
Sherman	500 00
Tillamook	500 00
Umatilla	1,500 00
Union	1,500 00
Wallowa	800 00
Wasco	1,400 00
Washington	800 00
Yamhill	1,100 00

Section 20. He shall, before he enters upon the discharge of his duties, give to the county court an official bond, in such sum as the county court may direct, conditioned that he will faithfully and honestly perform all the duties required of him by this act.

Section 21. The duties of the superintendent shall be as follows :

1. The superintendent and the county court, or the board of commissioners in counties where this board is a separate body, shall constitute a board for laying off his county in convenient school districts, such board to be styled the district boundary board. Said board shall make alterations and changes in the same when petitioned so to do, in the manner hereinafter specified ; and the superintendent shall make a record showing the boundaries and numbers of all the districts in his county so established and organized. The county judge shall be *ex officio* chairman of said board and the superintendent *ex officio* secretary, except where the board of county commissioners is a separate body, the chairman of the board shall be chairman. The superintendent and two members of the county board shall constitute a quorum for the transaction of business.

2. When the district boundary board shall have established a new district, the superintendent shall notify, in writing, three of the petitioners in said district, who petitioned therefor, giving in said notice the number and boundaries thereof ; and when alterations are made by the said board the superintendent shall notify, immediately, in the manner aforesaid, the directors of all the districts concerned.

3. He shall, on the first Monday in January, April, July and October in each year, make an apportionment of the entire school fund then in the county treasury, in the following manner : Of the school fund collected in pursuance of the school tax levy of the county court, he shall, in January, apportion \$50 to each district in his county that has reported to him as required by law ; and the balance of the school funds thereafter remaining in the treasury shall be apportioned among the several districts in his county that have reported to him as required by law, in proportion to the number of persons in each district over four and under twenty years of age, as shown by the last school census. If, after the making of the apportionment in January, there shall not be sufficient of the county funds to make the required \$50 to each district, he shall apportion the whole amount of such fund in equal sums among the several districts as have reported as

required by law, and at the next regular apportionment when there is money in the treasury sufficient for the purpose, he shall apportion to each such a sum as will make up the required \$50 for that year, and the balance as hereinbefore specified; *provided*, that in a joint district the sum of \$50 herein required to be paid to each school district in a county before any part of the county school fund is otherwise apportioned, said \$50 shall be paid to such joint district by the counties in which it lies in proportion to the number of school children in each county residing in such district over four and under twenty years of age, as shown by the last annual school census. As soon as he shall have made such apportionment he shall draw warrants on the county treasurer in favor of the districts for their respective shares, and transmit the same to the clerks thereof; *provided*, that the superintendent shall not issue or transmit any such warrant to the clerk of any district until the clerk's bond shall have been received, examined and approved by the county superintendent, and filed by him in his office as a part of the records thereof.

4. He shall keep a book in which he shall open an account with the treasurer of his county, also with the several districts. He shall charge the treasurer with all the school funds going into his hands, and when the treasurer shall present to him the district clerk's receipts, he shall credit the treasurer with the amount. When the superintendent shall have made any apportionment of the school funds he shall credit each district with the amount set apart to it, and on receiving the receipt of a clerk of a district from the treasurer, he shall charge the amount to such district.

5. In every examination held hereafter, any applicant for a teacher's county certificate shall be examined in the following named branches: Orthography, reading, writing, mental arithmetic, written arithmetic, English grammar, geography, United States history, theory of teaching, physiology and hygiene, civil government and Oregon school law; *provided*, that until the examination to be held in February, 1900, applicants shall not be examined in civil government and Oregon school law.

6. In each county there shall be a board of county examiners, composed of the county superintendent, who shall be *ex officio* chairman, and two competent persons appointed by the county superintendent, for such time within the term of his office as he may designate. Each member of said board, two of whom shall constitute a quorum, shall receive the sum of three dollars a day, except the county school superintendent, for the time actually employed in conducting the examination herein provided for. Any claim for compensation for services under this act shall be certified to by the board and audited by the county court and paid out of the general fund of the county.

7. Commencing at 9 o'clock on the second Wednesday of the following months, viz., February, June, August and November, and continuing three days, the board of examiners for each county shall hold a public examination of applicants for teachers' county certificates for such county, using the questions prepared by the state board of examiners, following the programme prescribed by the state board of education, at such place in the county as may be designated by the superintendent. Neither the county board of examiners, or any member thereof, shall at any time grant a private examination to an applicant for a teacher's certificate, except for a temporary permit, as hereinafter provided. At least ten days' notice by a publication in a newspaper, if there be one published in the county, shall be given by the superintendent, at the expense of the county, of all examinations. The board of examiners shall issue certificates of such general form as the state board of education may prescribe to all such applicants as are found upon examination to possess a good, moral character, requisite scholarship and ability to teach and govern successfully. There shall be three grades of certificates granted by the board, at its discretion, and subject to such rules and regulations as the state board of education may prescribe, which grades of certificates shall be as follows: The certificate of the

first grade shall be granted only to those who are over eighteen years of age and have taught twelve school months with approved success; and shall be valid throughout the county for three years. To obtain the same, an applicant shall make a general average of not less than ninety per cent. of all branches prescribed by law, and shall not fall below seventy per cent. in any one branch; *provided*, that whenever an applicant has upon two successive examinations received ninety per cent. or more in one or more branches, said applicant may, in the next examination thereafter, be excused from examination upon such branches and be credited with the standing so earned; *provided*, that the county superintendent may indorse a first-grade certificate in force in any other county in the state without examination, and said endorsement shall render the said certificate valid in his county during the validity of the original certificate; *provided*, that the superintendent shall have power to revoke said certificate for the same cause and like manner as those granted by the county board of examiners of his county; *provided*, that in all cases where a certificate is endorsed, it shall be registered in the office of the county superintendent of such other county, in a book provided for such purpose. The date of such registration must be endorsed by the superintendent on the back of the certificate, and without such registration and endorsement no first-grade certificate shall be valid in any county except the one for which it was issued. A fee of \$1 shall be paid to the superintendent by the teacher whose certificate is registered and endorsed, as herein provided, which sum he shall pay within ninety days to the county treasurer, taking his receipt therefor. All money so collected shall become a part of the county institute fund.

A certificate of the second grade shall be granted only to those who have attained to the age of eighteen years and have taught at least three school months with ability and success, and shall be valid throughout the county for two years. To obtain the same an applicant shall make an average of not less than eighty per cent. in all branches prescribed by law and shall not fall below sixty per cent. in any one branch. Such certificate shall not be renewed, nor shall any person be entitled to receive more than one second-grade in any one county; *provided*, that more than one second-grade certificate may be issued to the same person in a county on a regular public examination, as herein set forth, if such person has not had the requisite experience for a first-grade certificate.

A certificate of the third grade shall be issued only to those who have attained the age of seventeen years. Such certificate shall be valid for one year. To obtain the same an applicant shall make an average of not less than seventy per cent. in all branches prescribed by law, and shall not fall below fifty-five per cent. in any one branch. Such certificates shall not be renewed, nor shall any person be entitled to receive more than one third-grade certificate in any one county; *provided*, that more than one third-grade certificate may be issued to the same person on a regular examination as here set forth, if such person has not had the requisite teaching experience required for a second-grade certificate.

A temporary permit may be issued by the county superintendent in case of necessity, valid only in the county where issued, and valid only until the next regular public examination held by the county board of examiners for such county. A teacher shall not be entitled to receive more than two temporary permits in a county, nor shall an applicant who failed at the last regular public examination held by the board of examiners for any county be entitled to receive a temporary permit for that or any other county in the state; *provided*, that a fee of two dollars and fifty cents (\$2.50) for each temporary permit shall be paid by the applicant to the county school superintendent, who shall pay the same to the county treasurer, taking his receipt therefor, and all such fees shall be credited to the county institute fund.

8. All examination papers for certificates shall be kept on file in the county superintendent's office, as a part of the records thereof, for one year from the date of such examination.

9. On the first day of any county examination herein provided for, each applicant for a county teacher's certificate shall pay to the county superintendent a fee of \$1, which shall be paid by him, within fifteen days, to the county treasurer, taking his receipt therefor. All money so received by the county treasurer shall become a part of the county institute fund ; *provided*, that in no case in which an applicant shall fail to receive a certificate shall the fee be refunded.

10. He shall submit the questions prepared by the state board of examiners to applicants for state papers, according to such rules and regulations and at such times as may be prescribed by the state board of education, and shall conduct the examination, and shall immediately at the close of the examination transmit all such examination papers unmarked to the superintendent of public instruction, who shall submit them to the state board of examiners for grading.

11. He shall visit the schools taught in his county at least once every year and seek to aid, instruct and inspire teachers to employ the best methods in teaching, governing and conducting their schools; and he shall, if necessary, secure the proper classification of pupils, enforcement of courses of study and the care and protection of school property.

12. He shall study to awaken among parents and children a deeper interest in the public schools, so as to secure improved attendance, deportment and scholarship of pupils and more frequent visits of parents and school directors. He shall carefully observe the condition of the schoolhouses and surroundings, note all defects and notify the board of directors of the same. He shall receive the reports of all the districts of his county, and shall, by the fourth Monday of July of each year, make out from the records of his office a general report, adding such suggestions thereto as he may deem of importance to the cause of education, and transmit the same to the superintendent of public instruction, retaining a copy thereof in his office.

13. He shall hear, examine and decide appeals from district officers and teachers, without cost to the appellants, and subject to an appeal to the superintendent of public instruction.

14. He shall enforce the course of study for county schools prescribed by law.

15. He shall advise and consult with the district school boards relative to the location of and plans for school houses and the selection of teachers.

16. He shall keep in a suitable book an official record of all persons under contract to teach in his county, showing the number of the school district and date of the contract, the names of the contracting parties, the salary paid, the date of commencing school thereof and the length of term in weeks.

17. He shall make special report of important matters relating to the public schools in his county when necessary and when required by the superintendent of public instruction.

18. He shall have power to appoint a deputy whenever the same may become expedient and necessary, but no salary shall be paid such deputy out of the public school or general fund of the county.

19. He shall advise and consult with boards of directors relative to the construction, warming, ventilation and arrangement of schoolhouses, the improving and adorning of schoolgrounds, methods of instruction and discipline in the school, and the conditions of schoolhouses, sites and out-buildings and appendages of the district generally.

20. He shall use a uniform series of blank reports, registers, receipts, etc.

21. He shall organize and hold at least six local institutes and educational meetings in various parts of the county at such times and places as he may deem most expedient, and he shall secure at these meetings, as far as practicable, the attendance and coöperation of school officers, teachers and parents.

22. The county superintendent shall hold annually a teachers' county institute for a term of not less than three days for the instruction of teachers

and those desiring to teach, and all teachers in the public schools of his county shall be required to attend, and the county superintendent may, at his discretion, revoke the certificate, reduce the grade or refuse to grant a certificate to any teacher who refuses to attend the county institute without cause. The county superintendent shall receive the assistance and coöperation of the superintendent of public instruction in holding annual institutes. Every teacher attending any annual county institute held in accordance with the provisions of this act shall be given by the county superintendent a certificate, setting forth at what sessions of said institute such teacher shall have been in attendance, and any teacher who shall have closed his or her school for not more than three days in order to attend said institute shall not forfeit his or her wages as teacher during such time as he or she shall have been in attendance at said institute, and the certificate hereinbefore provided shall be in evidence of such attendance; *provided*, that if the institute is held during the session of school that such directors shall be required to grant three days' time of actual service to their teachers to attend the said institute, during which said three days' time their pay as teachers shall continue. For the purpose of defraying the expenses of the institute, the county superintendent shall draw an order on the county treasurer for such sums as may be necessary to defray the expenses of said institute, which sum the county treasurer shall pay; *provided*, that such sum shall not exceed the amount of institute fund in the county treasury. The county clerk shall audit the annual institute account of the county superintendent, which account shall be filed in the county clerk's office.

Section 22. The county commissioners shall provide the county superintendent with a plat of the boundaries of the several school districts of this county. The county commissioners shall also provide the county school superintendent with all necessary blanks, blank books, stationery, postage, expressage and other expenses of his office, not otherwise provided for, which said expense shall be paid from the general fund of the county.

Section 23. In case of a vacancy in the office of county superintendent, the county court of his county shall appoint some legally qualified person to fill the unexpired term.

Section 24. The county courts of the several counties of this state are hereby required to levy at the same time they levy other taxes, a tax upon all taxable property in their county, for school purposes, of five mills on the dollar, which shall be collected at the same time, in the same manner and by the same officers that other taxes are collected.

Section 25. The county treasurer of each county shall make annual exhibits of all school funds coming into and paid out of the treasury. He shall also retain and produce all the superintendent's orders by him paid off, on the yearly settlement with the county superintendent.

TITLE IV—SCHOOL DISTRICTS.

Section 26. For public school purposes each county in the state shall be divided into convenient subdivisions to be known as school districts, and those corporate bodies now existing in the various counties of the state under the name of school districts are hereby validated and the boundaries, school offices and official acts of such districts shall be and remain the same as shown by the records of the county superintendents of the several counties of this state or the records of such districts at the time this act goes into effect, until changed in the manner prescribed in this act.

Section 27. All school districts now existing, and all that shall hereafter be created under the provisions of this act, shall be classified and known as first class, second class and third class. The classification shall be made according to the number of children of school age, as shown by the last school census. All districts with one thousand, or more, children of school age, shall be known as districts of the first class. All districts with more than two hundred, and less than one thousand, children of school age, shall

be known as districts of the second class. All districts with less than two hundred children of school age shall be known as districts of the third class.

Section 28. *First*.—The district boundary board may establish new districts on the petition of three legal voters of said proposed new district, and may change or divide the districts of its county when petitioned to do so by a majority of the legal voters of one of the districts concerned in the change.

Second.—When the boundaries of any school district lying in two or more counties are proposed to be changed, in the manner hereinbefore specified, the petition shall first be acted upon by the district boundary board of the county in which lies the greater part of the district proposed to be changed; but, in any such cases, any change of boundaries in the other county must be concurred in by the district boundary board of that county.

Third.—Before any new district shall be established, or change shall be made in the boundaries of any existing district, the superintendent shall cause to be posted in three public and conspicuous places in such proposed district or in each of the existing districts, at least ten days before action is taken, as herein provided, written or printed notices of the boundaries of the proposed new district, or the changes to be made in the boundaries of any existing district, and of the session of the board when the same will be done.

Fourth.—No district shall be organized unless it contains at least ten children of school age, and no district shall continue to be a legally organized district, unless it has at least six children of school age.

Fifth.—When changes are made in district boundaries as heretofore set forth, or when any district shall be divided into two or more parts for school purposes, the existing board of directors shall continue to act for both or all the new districts or parts of districts until such districts or parts of districts shall have been regularly organized by the election of directors and clerks as provided by law. The respective boards of directors of all the districts concerned shall, immediately after such organization, make an equitable division of the then existing assets and liabilities between the old and new districts or between the districts already existing and affected by such change; and in case of a failure to agree within ten days from the time of such organization, the matter shall be decided by a board of arbitrators chosen by the directors of the several districts concerned. The arbitrators' decision shall be final, except that it may be reviewed by writ of review as the decision of other inferior tribunals are reviewed. The said board of arbitrators shall consist of three members, of whom the county superintendent shall be a member and *ex officio* chairman. Each member of the board of arbitrators, except the county superintendent, shall be entitled to the sum of \$2 per day, for each day's service and necessary traveling expenses, while sitting in their official capacity, and expenses thus incurred shall be equally apportioned among the several districts concerned. Assets shall include all school property and moneys belonging to the district at the time of the division. Liabilities shall include all debts for which the districts in their corporate capacity are liable at the time of the division. In determining the assets, school property shall be estimated at its present cash value. The assets and liabilities shall be divided between the districts in proportion to the last assessed value of the property, real and personal, and the district retaining the real property shall pay to the other district or districts concerned such sum or sums as shall be determined in accordance with the provision of this section; *provided*, that all funds to be apportioned during the current school year, after said division, shall be made in proportion to the number of persons between the ages of four and twenty years who are actually residents of such part of said district divided, as shown by the last annual school census of said district.

Section 29. All school districts formed by the district boundary board shall be formed of contiguous territory.

Section 30. 1. Where the public good requires it, a school district may be formed of adjacent territory, lying in two or more counties; and it shall

be the duty of the clerk in such district to report annually to each superintendent having jurisdiction, and such clerks shall include in such report the number of scholars residing in each county. Said clerk shall be entitled to draw, for the benefit of his district, that portion of the public school fund due said district from each county.

2. A certificate received from the superintendent of either county in which such district may be situated shall be sufficient to enable such teacher in such district to draw pay out of the common school fund.

Section 31. 1. The taxable inhabitants of a newly established district, receiving a notice from the county superintendent, as provided in this act, shall immediately write and post up three notices in public places in the district, notifying the citizens thereof to assemble at some convenient place for the purpose of organizing such district and electing three directors and a clerk, to serve the remainder of the school year, or until their successors are chosen and qualified. When three or more voters have assembled, pursuant to notice, they shall constitute a quorum to do business and shall have power to do all business done at annual school meetings; *provided*, that at least ten days' notice shall be given for all meetings called in pursuance of this act; *provided, further*, that in all districts of the first and second class this notice shall be duly published in one or more newspapers of such district.

2. Such meetings shall organize by appointing a chairman and secretary, and then may proceed to elect by ballot three directors, who shall hold their offices until their successors are elected and qualified. Such meeting shall also elect a district clerk who shall hold his office until the first annual meeting thereafter or until his successor has been chosen and qualified.

3. The directors and clerk elected at the first meeting shall qualify immediately by taking an oath to support the laws and constitution of the United States and of the state of Oregon, and to faithfully discharge the duties of their offices to the best of their ability; and the clerk shall give a bond to the directors for such sum as they may require as additional pledge for the faithful performance of his duties. The chairman of the meeting, or anyone he may choose, shall administer the oath of office to the directors and the clerk elect.

4. The directors and the clerk elected and qualified as aforesaid shall have the same power and shall perform the same duties hereafter required to be performed by directors and clerk elected at annual meetings of regularly organized districts.

5. At the first regular election in such district, after its organization, there shall be elected by ballot three directors for one, two and three years, respectively, and the ballot shall specify the term for which each is to be elected. In case of a tie, the matter shall be decided by lot.

Section 32. All school districts now existing or that shall be organized in pursuance of this act shall be, to all intents and purposes, a body corporate, competent to transact all business coming under their jurisdiction and sue and be sued. When suit is commenced against a district notice must be served on one of the directors.

Section 33. 1. The officers of a district of the first class shall consist of five directors and a clerk; and of all districts of the second and third class shall consist of three directors and a clerk, and in all cases shall be elected by ballot.

2. The term of office of all district school officers shall begin on the day of election and they must qualify before assuming the duties of their office and within thirty days of their election by taking the usual oath of office, and shall serve until their successors are elected and qualified.

3. No person shall be eligible to a district office who shall not be, at the time of his election, a legal voter in such district.

Section 34. Districts shall not be entitled to their proportion of the school fund at the disposal of the county superintendent unless they shall report to him by the second Monday of July in each year, and shall have

had a school taught in their district at least three months in each year; *provided*, that a new district shall not be required to have a school taught as aforesaid for the space of one year from the date of its organization.

Section 35. In all districts at least eighty-five per cent. of the amount received from the five-mill county school tax and the irreducible state school fund shall be applied for teachers' salaries, and no part thereof shall be applied in paying for school sites and buildings, repairs or furnishing school-houses, or in paying interest or principal on bonds issued by the district.

Section 36. No district shall enter into a contract with any teacher whereby said teacher shall return to said district, either directly or indirectly, any part of the five-mill county school tax or the irreducible school fund apportioned to said district, and should any board and teacher enter into any such contract said contract shall not be deemed legal but void in whole, and the teacher's certificate shall be revoked by the county school superintendent when the fact shall be duly ascertained after a trial conducted as hereinbefore provided for revocation of teachers' certificates.

Section 37. If the entire school funds received annually by each school district from the apportionment of the five-mill county school tax and the irreducible state school fund made by the several county school superintendents shall not be exhausted and expended for school purposes only within and during the year for which such apportionments are made, such unexpended balance in excess of \$50 shall be returned to the general county school fund of the county, and the clerk of said school district shall report the amount of said unexpended balance in his first annual report thereafter to the county superintendent, who shall place the excess of said amount over \$50 to the credit of the general school fund of the county, and charge the same to said district as a part of the first succeeding year's apportionment thereafter.

TITLE V—SCHOOL MEETINGS.

Section 38. The legal school voters of each school district of the state shall meet once each year, which meeting shall be known as the annual school meeting, and may hold special meetings as the interests of such district shall require.

Section 39. All regular and special school meetings must be convened by a written call stating the objects of such meeting, signed by the chairman of the board and the district clerk or a majority of the district school board; and the directors shall cause the clerk to post such written notices in three public places in the district at least ten days before the day appointed for said meeting.

Section 40. The director who has served the longest time as such shall act as chairman of district meetings, and in case of his absence the other directors in order of seniority; and in case neither of the directors is present at a district meeting, the qualified voters present shall elect a chairman.

Section 41. All district school meetings shall be conducted in a decent and orderly manner, and shall be governed by the rules of order commonly in use by such bodies; *provided*, that a division shall be granted if demanded by two or more voters of the meeting except in cases of an election to fill vacancies of district officers.

Section 42. The annual school meeting in all organized districts shall be held on the first Monday in July, or if it be a legal holiday, the next day thereafter, for the transaction of such business as shall properly come before it; and the fiscal school year shall begin on the first day of July and end on the last day of June.

Section 43. 1. Districts of the first class shall elect one director for each district on the day of the annual school meeting, to serve for five years, and such election shall be held from 2 p. m. to 6 p. m., and it shall be by ballot, and such ballot shall be uniform and shall be provided by the board of directors. The judges of such election shall be appointed by the board of directors, to receive and canvass the vote and report the results to the board.

2. In all other districts there shall be elected by ballot at the annual school meeting one director and one clerk for each district. The director shall hold his office for three years, so that the oldest director shall retire from office in order, and the clerk for one year; *provided*, that districts of the second class may hold elections for director and clerk in the manner provided in this section for holding elections in districts for the first class when authorized so to do by a majority vote of the legal voters present at any legally called school meeting; *provided*, that in case of a tie at the election of school officers, said tie shall be decided by lot.

Section 44. District meetings, legally called, shall have power to levy a tax upon all real and personal property in their district and make any necessary appropriation for the support and benefit of schools, and also adjourn from time to time; *provided*, that no tax shall be levied at any special meeting, unless the call for such meeting shall have stated that one of the purposes of such meeting would be the levying of a tax.

Section 45. The minutes of all school meetings must be signed by the chairman and secretary.

Section 46. Any citizen of this state, male or female, who is twenty-one years of age and has resided in the district thirty days immediately preceding the meeting or election and has property in the district as shown by the last county assessment and not assessed by the sheriff, on which he or she pays a tax, shall be entitled to vote at any school meeting or election in said district; *provided*, in districts of the third class that any head of a family, who is otherwise a qualified elector, and having children of school age, may vote at such election without property qualification.

Section 47. School districts of the first class may be subdivided into voting wards by the directors of such district, such wards to conform as near as possible to the city wards comprised in its boundaries. The board of directors of all such districts when so subdivided shall establish at least one polling place in each ward, the judge and clerks of which shall be qualified electors within the provisions of this act, and residents of such ward, and each elector shall be required to cast his or her ballot in that ward in which he or she resides.

TITLE VI — DISTRICT SCHOOL BOARDS.

Section 48. 1. The directors in their official capacity shall be known as the district school board and shall hold such meetings as are necessary to transact the business of their office.

2. A meeting of the district school board may be called at any time by a member of the board serving a written notice on the other members and the clerk at least twenty-four hours before such meeting is to be held, or may be called by the common consent of the members of such board.

3. The director who has served the longest time as such under an election shall act as chairman of district school board meetings in the absence of the chairman; the other members of the board in the order of their election may act as chairman, and in the absence of the clerk some member of the board shall act as secretary. A majority of the board shall constitute a quorum to do business.

Section 49. The duties of district school boards shall be:

1. To authorize the clerk to call special school meetings.

2. To visit and inspect their schools from time to time, and, when necessary, may exclude any refractory pupil therefrom; but the exclusion of any pupil from the school shall not extend beyond the current term.

3. To audit all claims against the district, and to authorize the clerk to draw orders for the amount.

4. They shall furnish their schools, from the common school fund, with fuel already prepared for use, chalk, brooms, blackboards, erasers, stoves, window curtains, reference books, library books and other apparatus for use in their schools; *provided*, that the sum expended for this purpose shall not exceed fifteen per cent. of the five-mill county school fund and the irreducible school fund apportioned to said district.

5. If authorized by a majority vote of the legal voters present at any legally called school meeting, they shall purchase, lease or build schoolhouses, buy or lease land for school purposes, furnish schoolhouses with furniture, lights and apparatus, and for such purposes may, when so authorized, levy and collect, not oftener than once a year, a tax not exceeding five per cent of the value of the taxable property of the district, or issue or sell negotiable bonds, as hereinafter in this act provided. They may also sell, lease or otherwise dispose of any property belonging to the district when authorized to do so by a majority vote at any legally called school meeting; *provided*, that the call for such meeting shall have stated that such sale, lease or disposition would be one of the objects of such meeting.

6. When authorized by a majority vote of the legal voters present at any legally called school meeting, they may, in the name and on behalf of their district, contract a debt by borrowing money or otherwise, not to exceed \$500, for the purpose of building a school building or repair of school buildings, or for the purchase of land for school purposes, and issue negotiable interest bearing warrants (and fix the time of payment of the same) of their district, evidencing such debt; and they may from time to time, not oftener than once a year, levy a tax on the taxable property of the district to pay the interest thereon, or principal when due, which taxes shall be collected in the same manner as other school taxes are or may be collectible by law.

7. The board, at a general or special meeting called for that purpose, shall hire teachers and shall make contracts with such teachers, and shall specify the wages, number of months to be taught and time employment is to be given, as agreed upon by the parties, and shall file such contracts in the office of the district clerk, and a copy thereof in the office of the county superintendent; but no contract with a teacher shall extend beyond the time of the next annual school meeting. No contract shall be made with any teacher who is related by blood or marriage, within the third degree, to any member of the school board, without the concurrence of all the members of the board, by a vote duly entered on the clerk's records of proceedings. Unless otherwise provided in the teacher's contract, it shall be understood that the branches provided for a first-grade county certificate shall be taught, excepting school law and theory and practice of teaching.

8. If any district school board shall draw a warrant on the school fund for the wages of any teacher who has not obtained a certificate as required by this act, and laid the same before the board for their inspection, such district shall forfeit its proportion of the school fund for the year.

9. Boards shall have entire control of the public schools of their district and the teachers employed therein. The board may establish such rules and regulations for the government of teachers and pupils as are consistent with those of the state board of education, as the interests of the school require. It shall be the duty of the teacher, under the direction of the board to determine what branches shall be pursued by each pupil, consistent with the course of study prescribed by law.

10. When directed by a vote of the district the district board shall loan textbooks to indigent pupils; and, when not directed by a vote of the district so to do, may loan said books to indigent pupils upon the written report of the clerk that the parent or guardian of such children are unable to purchase such books.

11. The district shall require, as a condition of membership in any school, that pupils shall be provided by their parents or guardians with such books as may be prescribed by law.

12. School warrants shall not be issued without a vote of the district school board, and they must be drawn and signed by the chairman of the board and countersigned by the district clerk; *provided*, that if there should not be any money in the treasury they shall be marked "not paid for want of funds," and said orders shall draw interest at the legal rate from the date of endorsement until paid.

13. Any duty imposed upon the board as a body must be performed at a regular or a special meeting, and must be made a matter of record. The consent to any particular measure obtained of individual members when not in session is not an act of the board and is not binding upon the district. If a contract is made without authority of the board, the individuals making such contract shall be personally liable.

14. They shall admit free of charge to the schools of their districts all persons between the ages of six and twenty-one, residing therein, and all other persons may be admitted on such terms as the district may direct.

15. It shall be illegal for any director, either directly or indirectly, to have any pecuniary interest in the erection of schoolhouses, or for the warming, ventilating, furnishing or repairing the same, or to receive or accept any compensation for his services rendered as a member of the board.

16. All demands, whether by contract or otherwise, must be approved by the district school board, when in session, before an order can be drawn on the district clerk for them, and no officer can draw an order on the treasurer, unless he is authorized to do so by a vote of the board, at a regular or special meeting. It shall be the duty of the board to examine all contracts for the employment of teachers and the construction of schoolhouses, or for any other purpose, and to see that stipulations have been complied with before they authorize the payment of money thereon.

17. The board may authorize the chairman and clerk to draw warrants for the payment of teachers' salaries at the end of each school month, upon proper evidence that the service has been performed, but the order for wages for the last month of the term shall not be drawn until the teacher's report shall have been received, examined, accepted and filed in the office of the district clerk; *provided*, that all teachers must hold legal certificates, and that said certificates must cover the entire time of the teacher's service, and must specify all the branches taught, and such certificate can neither directly or indirectly be made to legalize another teacher's services.

18. The board shall dismiss teachers only for good cause shown, and, in case the board shall pass an order to dismiss, the material reason therefor shall be spread upon the record by the district clerk.

19. If a teacher is unjustly dismissed, he may take an appeal from the action of the board in dismissing him, to the county superintendent, and thence to the superintendent of public instruction, but for a breach of contract of teaching the teacher or the district shall have their ordinary legal remedies. In the trial of a teacher, when it is sought to dismiss him, as above provided, the board, the county superintendent, or the state superintendent, as the case may be, shall give the teacher due and legal notice of the charges against him, and an opportunity to be heard in his own defense in person or by attorney.

20. It shall be the duty of the directors to prosecute any person who shall wilfully write, make marks, or draw obscene pictures on the wall or any other parts of any schoolhouse or outbuilding or furniture thereof, and any person thus defacing or injuring public school property shall be punished by fine not less than \$5 nor more than \$20, and justices' courts shall have jurisdiction of this offense, which fines shall be paid by the justice within thirty days to the county treasurer, taking his receipt therefor. All moneys received by the county treasurer in this manner shall be credited to the county school fund.

21. The district school board of any school district in the state of the first and second class may, when authorized thereto by the qualified electors of such district, provide for the establishment and maintenance therein, as part of the common school system thereof, of schools commonly known as kindergartens, and such schools shall be free to children over four years of age.

22. The power to locate sites for schoolhouses shall be vested in the district school board. This authority shall be exercised with great care and without prejudice, and the wishes of the people for whom the house is de-

signed shall be consulted as far as practicable, taking into account the prospective as well as the present convenience of the people of the district. A site near the center of the district shall be chosen, unless extraordinary and controlling circumstances shall indicate a different selection.

23. The board shall cause to be used in each district a uniform series of state blanks, registers, etc., whenever the same shall be supplied by the state.

24. To require and take from the clerk a bond with one or more sufficient sureties, the amount thereof to be sufficient to secure the school money that may come into his hands, conditioned for the faithful performance of his duties, which bond shall be filed with the county superintendent; *provided*, that no director shall be a surety on said bond.

25. The director shall perform such other duties not provided for in this section as the wants of the district may from time to time demand.

26. On the petition of ten legal voters of any school district, which petition shall be substantially in the following form, to wit, To the district school board of district No. — of — county, state of Oregon: We respectfully request you to submit to the legal voters of said district the question of contracting a bonded debt of said school district in the sum of — dollars, for the purpose of — and that you will call a school election for that purpose.

The district school board of said district shall direct the clerk of said district to cause to be posted a notice of election, which notice of election shall be as near as may be as follows:—

SCHOOL DISTRICT BOND ELECTION NOTICE.

Notice is hereby given that a school meeting of school district No. —, of — county, Oregon, to be held at —, said district, on the — day of —, 18—, there will be submitted to the legal voters of said district the question of contracting a bonded debt of — dollars, for the purpose of —, the vote to be by ballot, upon which shall be the words "Bonds—Yes," and the words "Bonds—No." Polls to be opened at 1 o'clock p. m. and remain open until 4 o'clock p. m. By order of the board of directors of school district No. —, of — county, Oregon. Dated this — day of — A. D. 1898.

(Signed.)

_____, Clerk.

Which notice shall be posted for the period of twenty (20) days prior to such election in at least three (3) public and conspicuous places in said district, one of which places shall be the place of meeting. The meeting shall be called to order by the chairman or some other member of the board of directors, and the taxpayers shall proceed to elect three judges and a clerk of election, who shall conduct the election. When the polls are closed the judges and clerk shall proceed to canvass the vote and shall certify the result to the board of directors, the county treasurer and the county superintendent. If a majority of the votes cast read "Bonds—Yes" the board of directors, as soon as practicable, shall issue coupon bonds of the district, not exceeding in par value the amount stated in the notice of election, bearing interest not to exceed legal interest per annum, payable semiannually, redeemable at the pleasure of said district (after ten years), but due and payable absolutely twenty years from date, but in no case shall the aggregate of bonded debt in any school district exceed five per centum of the value of the taxable property of any such district.

The principal and interest of such bonds shall be payable at the office of the county treasurer in which the district may be situated, or at such place as may be designated in the city and state of New York, at the option of the purchaser thereof. All such bonds so issued shall be signed by the chairman of the board of directors, and attested by the district clerk, and

countersigned by the county treasurer, and ten coupons attached to said bonds shall be signed by the chairman of the said board of directors and countersigned by the district by original or *fac simile* signatures. Whenever any school district shall issue bonds under the provisions of the section, all such bonds shall be issued to the county treasurer of the county and be registered by him in a book kept for that purpose in his office, noting the school district, amount, date, time and place of payment, rate of interest and such other facts as may be deemed proper, and all such bonds shall state on their face that they were issued under the provisions of this section.

The county treasurer shall sell said bonds for the best price obtainable, and hold the proceeds subject to the order of the board of directors, but no bonds shall be sold for less than par. The directors of said district must ascertain and levy annually a tax sufficient to pay the interest accruing on said bonds as it becomes due and at the expiration of ten years from date of said bonds and annually thereafter until full payment of said bond is made, they shall levy, in addition to the tax required to pay such interest, an amount for a sinking fund sufficient to meet the payment of said bonds at maturity; such amount to be not less than one-tenth of the amount of bonds outstanding and unpaid, and the fund arising from such levy shall be kept as the bond redemption fund of said district, and each of said tax levies shall be a lien upon the taxable property in said district, and must be collected in the same manner as taxes for other school purposes, and all such taxes shall be paid to the county treasurer, who shall, with the money so received, pay the said interest coupons and bonds as they become due. If the directors of any school district issuing the said bonds shall fail or refuse to levy the tax necessary to be levied for such interest or sinking fund to pay said bonds, it shall be the duty of the county treasurer to ascertain the amount necessary to be levied for such interest or sinking fund to pay said bonds and interest; and it shall be the duty of the county court or county board of commissioners to levy a tax equal to said sum so required and ascertained on the certificate thereof by the county treasurer; and the proper county officer having power to extend county taxes shall extend the same upon the tax roll of said county upon the taxable property of said school district only; and the proper county officer whose duty it is to collect taxes shall collect the same according to law; and the said collecting officer shall pay said funds so collected into the county treasury to the credit of the school district issuing such bonds to be applied to the payment of said bonds and interest.

The county treasurer must pay out of any moneys so levied and collected belonging to the school district the interest or principal, as the case may be, upon any bond issued under this section by school districts, when the same becomes due and at such places as designated in such coupons or bonds or upon the presentation at his office of the same, which must show the amount due and the number and series of the bond, and all coupons or bonds so paid must be immediately reported to the directors of the district. Whenever any school district in this state shall, under any laws of this state, have contracted any indebtedness or issued any bonds for the purchase or the building of any schoolhouse or any furnishing of the same, it shall be lawful for said school district to issue and exchange its bonds for any such indebtedness at a rate of interest not greater than that borne by the original indebtedness, by a majority vote of the taxpayers of the district; and said bonds shall in all respects conform to and be governed in their issuance and execution by the provisions of this section, except as to those provisions requiring a vote of the taxpayer.

At any time after the issuance of such bonds, and the discharge of the duties imposed upon the said county treasurer, should any incidental expense, cost or charges arise, the said county treasurer shall present his claim for the same to the board of directors of the school district issuing such bonds, and the same shall be audited and paid in the same manner as other services are paid for under the provisions of the law. Whenever the

amount of any sinking fund created under the provisions of this section shall equal the amount, principal and interest, of any bond then due or subject under the pleasure or option of said school district to be paid or redeemed, it shall be the duty of the county treasurer of the county in which the school district issuing such bond is located, to publish a notice in the newspaper published nearest to said school district, and also in one published at the state capital, that the said county treasurer will, within thirty (30) days from the date of said notice, redeem and pay any such bond then redeemable and payable, giving priority according to the date of issue numerically and, upon presentation of any such bond or bonds, the said treasurer shall pay the same. In case any holder of such bond or bonds shall fail or neglect to present the same at the time mentioned in the notice hereinbefore provided for, then the interest upon such bond or bonds shall cease and determine, and the treasurer of such county shall thereafter pay only the amount of such bond or bonds and the interest accrued thereon up to the last day of the time of redemption mentioned in said notice. When any bonds are so redeemed or paid, the county treasurer shall cause the same to be fully cancelled and write across the face of such bond the word "Redeemed," with the date of redemption, and shall deliver the same to the board of directors of such school district, taking the directors' receipt therefor.

Section 50. When a vacancy shall occur in the board of directors, or the clerk, by death, resignation, removal from office, ceasing to be a resident of the district, ceasing to discharge his duties for two consecutive months, except when prevented by sickness, the decision of a competent tribunal declaring void his election, or otherwise, the remaining member or members thereof shall forthwith authorize the clerk to call a special meeting to fill such vacancy in the board of directors; and in case of a vacancy in the office of clerk, it shall be the duty of the directors to appoint, from among the qualified voters of the district, some person to fill such vacancy until his successor is duly elected and qualified; *provided*, that should a vacancy occur of all the members of the district board and also the clerk, it shall be the duty of the county superintendent to call a special meeting to fill such vacancies.

Section 51. If a director shall be guilty of misfeasance or malfeasance in office, he may, by the appropriate proceeding, be removed from office by a court of competent jurisdiction.

TITLE VII—SCHOOL CLERKS.

Section 52. Before assuming the duties of his office, the district clerk shall give a good and sufficient bond, equal in amount to not less than double the probable amount of all school moneys that shall come into his hands as clerk of such district. The bond of the district clerk shall be presented to and accepted by the district school board of his district within ten days from the date of his election or appointment as such district clerk, which bond shall be filed with the county superintendent within thirty days from the date of the election of the district clerk.

Section 53. Every clerk of a school district who is his own successor, shall give a new bond for the term for which he is reelected within the time hereinbefore named, for the presentation of his bond to the directors; and his former bondsmen shall not be liable for defaults committed within the term for which he is reelected. In case any district clerk shall fail to give a bond within the time hereinbefore mentioned for the presentation and acceptance of such bond, the office of clerk shall be declared vacant by the district school board; *provided, however*, that in the event any board of directors shall accept a bond of the district clerk after thirty days have elapsed from the date of the election or appointment of such clerk, then said bond so accepted shall be valid.

Section 43. In case the office of the clerk shall become vacant in any district by death, resignation or otherwise, it shall be the duty of the dis-

district school board to appoint from among the qualified voters of the district, some person to fill such vacancy until his successor is duly elected and qualified. The clerk of the school district shall receive such compensation as may be directed by the district school board of his district.

Section 44. Duties of the clerk. It shall be the duty of the district clerk—

First.—To record all proceedings of district and board meetings in a book provided for that purpose.

Second.—To give notice, as required in this act, of annual and special meetings.

Third.—He shall make an annual report to his district and to the county superintendent, according to the form prescribed by the state board of education, and shall forward a certified copy of the same, on or before the tenth day of July following, to the county superintendent.

Fourth.—Every district clerk shall enroll annually, in June, for school purposes, all persons in his district over four and under twenty years of age. This annual census shall contain the names and ages of all children of the school age mentioned above, and shall also contain the names of all parents and guardians resident in the district. This annual school census shall include all youth between the ages of four and twenty years, who, on the first day of June actually reside in the district. If, however, a youth is staying temporarily in the district as a boarder or a visitor, or is a member of the family temporarily in the district his actual residence is in another district, and such youth cannot be legally enumerated; *provided*, that a youth shall be legally enumerated in but one district, and that is the district in which he actually resides; *provided, further*, that this annual census must include all the children that are absent attending institutions of learning; *provided, further*, that the clerk must not include in the annual census children who are attending benevolent institutions, as deaf and dumb, blind and orphan asylums, in his district, but whose parents do not reside therein. The district clerk shall visit each habitation, home, residence, domicile or place of abode in his district, and by actual observation and interrogation enumerate the children of the same; *provided*, that the annual census report of the district clerk shall be submitted to the directors at the annual school meeting, and all corrections necessary shall then be made, and the clerk shall then file his original report in his office, the same to be and remain a part of the permanent records thereof. The clerk shall include a certified copy of the census report in his annual report to the county superintendent. The census report and certified copy thereof shall be made under oath upon blanks for that purpose furnished by the state board of education. The annual report shall be submitted to the county superintendent as nearly as may be according to the form provided by the state board of education.

Fifth.—The books and accounts of the district clerk shall be subject to the inspection of any director at any and all times; and the directors shall, at the annual meeting of the school district, make a thorough examination of the books and accounts of the district clerk.

Sixth.—Clerks of all school districts in this state shall use a uniform series of state blanks, blank reports, registers, warrant books, etc., whenever the same shall be provided by authority of the state.

Seventh.—The clerk of each school district shall refuse to draw an order for the last month of the teacher's wages until the teacher's register, copy of programme, classification of pupils, where each class began and closed in the state course of study, and such other data as may be required by the state board of education or the county superintendent, shall have been examined, approved and filed in his office.

Eighth.—He shall turn over all district money, books and papers to a duly qualified successor.

Ninth.—He shall immediately after the annual school meeting send to the county school superintendent a list of the officers of his district, which

list shall give the length of term of office of each director and the postoffice address of each director and clerk of the district.

Tenth—It shall be the duty of the district clerk to keep a correct account in a book provided for that purpose of all moneys coming into his hands and of all paid out belonging to his district; and he shall make a report of the same to the annual meeting, and when called upon by the directors to do so shall report at special meetings.

Eleventh—When he receives the superintendent's order for the money set apart for his district out of the county school fund, he shall immediately call upon the treasurer, either in person or otherwise, present his order, get the money and receipt for the same; and it is hereby made the duty of the county treasurer to report at once to the county superintendent whenever school moneys are received by him.

Twelfth—He shall act as secretary of all district and board meetings, and shall perform all other duties required of him by this act, and should he fail to perform all such duties he shall suffer the enforcement of his bond.

TITLE VIII—SCHOOL TEACHERS.

Section 56. A teacher's duty, while in charge of a school, shall be as follows:

1. To maintain order in school and conduct himself in such a manner before his school as to command the respect of his pupils.

2. To commence school at 9 o'clock a. m. and to close at 4 o'clock p. m. of each day, giving one hour for recreation at noon; *provided*, that the directors may order a less number of hours.

3. To labor during school hours to advance the pupils in their studies; to create in their minds a desire for knowledge, principle, morality, politeness, cleanliness and the preservation of physical health; and it is hereby made the duty of every teacher to give, and every board of school directors to cause to be given, to all pupils, suitable instructions in physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system. Such instructions in physiology and hygiene shall be given orally to pupils who are below the fourth grade, and shall be given by the use of textbooks to all pupils above the fourth grade, and such instruction shall be given as thoroughly to all pupils as instruction in arithmetic or geography is given. Each teacher of a public school, before leaving the school register with the school clerk, shall certify therein whether instruction has been given in the school or grade presided over by such teacher, as required by this act, and no public money shall be paid over to the treasurer of a district unless the register of such district contains a certificate of the teacher that instruction has been given in physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system, as required by this act.

4. To keep a register, showing the name, sex and daily attendance of all persons attending his school, and hand the district clerk a copy of the same at the close of each term.

5. To follow the state course of study prescribed by the state board of education.

6. Teachers shall, at the close of each term, file with the clerk and with the county superintendent copies of their programmes, the classification of their pupils, the point in the state course of study where each class began and closed and such other data as the state board of education may require.

7. When a contract has been made with any district school board, the teacher shall immediately notify the county school superintendent in writing, using the form supplied by the state board of education.

TITLE IX—DISTRICTS OF THE FIRST CLASS.

Section 57. Whenever the school population of any city or incorporated town shall exceed one thousand, as shown by the school census made by

the clerk of the largest and most populous district in such city or town, the district boundary committee shall consolidate all districts and parts of districts within such city or town into one school district of the first class, and the limits and boundaries of such school district shall conform to and be the same as the limits and boundaries of such incorporated city or town; *provided*, that in all cases when any part of any school district shall be included in any such incorporated city or town, and a part thereof shall not be so included at the time this act shall take effect, such parts of such school districts as lie without the boundaries of said city or town shall continue to be a part of such school districts until such time as the boundary board shall otherwise provide.

Section 58. When the limits or boundaries of any incorporated city or town containing a district of the first class are changed according to law, then the boundaries and limits of the school districts therein shall be deemed to have been changed also, so as to conform to the new limits and boundaries of such incorporated city or town.

Section 59. The directors of the largest and most populous districts within said corporate limits shall, with such others as are elected in pursuance of this act, be the board for such new district organization, and all the property, real and otherwise, belonging to districts or parts of districts within said corporate limits shall become the property of such new district, and be subject thereafter to the control of the board of directors of such largest and most populous district; but the new board may provide for a period not exceeding three years from the date of such consolidation for the free tuition of all pupils living within the boundaries of such parts of such consolidated districts which are beyond the said limits, unless such parts are sooner erected into new districts or are attached to other districts.

Section 60. At the first regular election in any district, created as provided in section 57 of this title, there shall be elected three directors to hold office, one for three years, one for four years and one for five years, the term of each to be determined by lot at the first regular meeting of the board after such election.

Section 61. It shall be the duty of the school directors of the oldest organized district affected by this act, to designate the polling places, name the judges and clerks to serve at the first election under this act, and the board of such oldest directors shall also canvass and declare the results of such election.

Section 62. Whenever the school population of any district shall reach one thousand or more, as shown by the annual census of the school clerk of the district, the board of directors of such district shall give notice that at the next election three directors are to be elected, who shall serve three, four and five years, respectively, the term of each to be determined by lot at the first regular meeting of the board after such election, and from and after such election such district shall be of the first class and shall have a board composed of five directors, and otherwise be subject to the special laws and provisions of districts of the first class.

Section 63. After the first election of members of the board of directors under this act, but one shall be elected each year, and all vacancies in the board shall be filled as provided by law.

Section 64. In all organized districts of the first class, the board of directors shall consist of five members, each of whom shall hold office for a term of five years, one member retiring each year as hereinafter provided.

Section 65. The election for members of the board of directors in all organized districts of the first class shall be held each year, at the time and in the manner provided by law for districts of the first class.

Section 66. All districts formed under the provisions of an act entitled "An Act to organize school districts in incorporated towns of ten thousand inhabitants and to provide for the maintenance and government of public schools therein," are hereby continued as districts of the first class, and shall be considered as already organized as such, and the present officers of

such districts shall continue in office during the term for which they were respectively elected, and no new directors shall be elected except as provided for in section 63 of this title.

Section 67. School clerks in districts of the first class shall be deemed officers of the boards of directors, which boards shall have authority to elect them, prescribe their duties, fix their compensation and determine the manner of its payment, and to fix the amount of their bonds.

Section 68. The duties of the district school board in districts of the first class shall be:—

1. To employ city superintendent of schools for the district and to fix his term of office and compensation.

2. To employ teachers, janitors, carpenters, etc., and to fix their compensation.

3. To prescribe courses of study and make rules and regulations for the government of said district.

4. When in their judgment more systematic grading of their school requires it, to choose textbooks in addition to those already authorized by the state; *provided*, that such choice shall be made at the same time as that now prescribed by law for the choice of textbooks for the state, and the result of their choice shall be regularly reported to the state board of education, to be by them filed as in the case of other authorized textbook selections.

5. To create a board of examiners for the purpose of examining all persons who may be employed to teach in said schools; and the county school superintendent of the county in which such district may be located, shall be the *ex officio* chairman and the city superintendent shall also be a member; *provided*, that certificates issued by such board of examiners shall not be valid in any other district than that for which such certificates are issued; *provided, further*, that the holder of a valid certificate may be employed without further examination, at the option of the board.

6. To lease and build schoolhouses, to buy and lease lands for school purposes, and to furnish their schoolhouses with proper furniture, libraries, light, fuel, apparatus, etc., and to sell and convey such lands and other property belonging to the district as may not, in their judgment, be required for school purposes.

7. To provide for polling places in each ward in such city for all school elections, to appoint judges and clerks, and to canvass all votes and poll-books and determine the result thereof.

8. To make an annual printed report to the taxpayers of said district.

9. To determine who are non-resident pupils and to fix the rates of tuition for such non-resident pupils.

10. The district school board of any school district of the first class, may upon the petition of not less than one hundred qualified electors of such school district, provide that in one or more of the common schools to be kept in such district any one modern language may be taught as a branch study, and a teacher employed in such school shall be educated in such language and qualified to teach the same.

Section 69. The board of directors of such district must provide for the time and place of its regular meeting, at any of which it may adjourn to the next succeeding regular meeting or to some specified time prior thereto, and it may be convened upon written or printed notices issued by the school clerk by order of the chairman, or upon the united request of three members of the board.

Section 70. A majority of the board of directors shall constitute a quorum to do business, but a less number may meet and adjourn from time to time and compel the presence of absent members.

Section 71. The board of directors of such district may adopt rules for the government of the conduct of its members and its proceedings. It must keep a journal, and on the call of any of its members must call the yeas and nays, to be taken and entered upon its journal, upon any question before it.

Section 72. On or before the tenth day next following any regular or special election for school officers, there must be a regular meeting of the board, at which time the newly elected officer or officers shall enter on their duties.

Section 73. Any person, male or female, who is a qualified voter at school elections, shall be eligible to the office of school director in such districts.

Section 74. At such general or special elections in such districts, the only officer voted for shall be director

Section 75. The board of directors of such district are authorized to contract an indebtedness for the district for school purposes, but such indebtedness shall at no time exceed in the aggregate more than \$100,000; *provided*, that in cities of less than seventy-five thousand inhabitants, they shall not contract any indebtedness exceeding five per centum of the value of the taxable property of the district.

Section 76. No warrants drawn on the school fund in such district shall draw interest before or after presentation to the school clerk.

Section 77. In all such districts, when in the opinion of the board the cost of any lot of furniture, stationery, apparatus, fuel, buildings or improvements, or repairs to the same, will equal or exceed the sum of \$500, it shall be the duty of said board to give due notice by publication in at least one daily newspaper published within said corporate limits, of their intention to receive bids for such lot of furniture, stationery, etc., and they shall determine the specifications for such bids, and appoint the time and place for opening of all bids, which shall be public. And it shall be unlawful for any member of the school board to bid or to be an interested party in any bid before such board.

Section 78. The course of study shall be under the entire control of the board of directors.

Section 79. The mode and manner and the times for assessing and collecting the taxes in such districts shall be the same as now provided by law.

Section 80. It is hereby made the duty of all clerks of districts of the first class, whose districts lie partly within and partly without any incorporated city or town, to make to the county school superintendent of the county containing such incorporated city or town a segregated report at the time now provided for by law, showing the number of persons of school age in their respective districts, living within, and also the number of persons of school age living without such incorporated city or town.

Section 81. All provisions of this act concerning the duties and powers of school directors and school clerks in districts other than of the first class, which do not conflict with the express provisions of this title, shall be considered to apply to the officers of districts of the first class.

TITLE X—TEXTBOOKS.

Section 82. In the month of January, in the year 1901, and in the month of January every four years thereafter, the governor shall appoint, from different sections of the state, a state board of five textbook commissioners, who shall hold their offices until their successors are elected and qualified. The governor shall fill all vacancies in such board.

Section 83. In the month of February, in the year 1901, and in the month of February every six years thereafter, the state superintendent of public instruction shall, under the direction of the state board of education, issue a circular and mail a copy of the same to all leading schoolbook publishers in the United States. Such circular shall contain the following:

First—The name and postoffice address of each member of the state board of textbook commissioners.

Second—The time and place of meeting of the state board of textbook commissioners to adopt textbooks.

Third—The general form of bid to be followed by publishers in submitting textbooks for adoption.

Fourth—The general form of contract to be entered into between the state board of education, in behalf of the state, and a publisher whose book or books may be adopted.

Fifth—The branches of study included in the state course of studies, for schools of all grades.

Sixth—The provisions of this act relating to the adoption of textbooks.

Seventh—Such additional facts and information as may be deemed expedient.

Section 84. The state board of textbook commissioners shall meet at the state capitol on the second Monday in July, in the year 1891, and on the second Monday in July, every six years thereafter, and continue in session not to exceed fifteen days, exclusive of Sundays and other holidays, in a room to be designated by the state board of education. Four members shall constitute a quorum. They shall immediately organize by electing a chairman from among their number, and a competent person as secretary. No person holding office under the state, or any county, shall be elected secretary.

Section 85. When organized, as provided in this act, the state board of textbook commissioners shall adopt textbooks for use in all the public schools of this state for six years. The sessions of the board shall be public, and the vote upon the selection of each textbook shall be *viva voce*, and the vote of each member shall be recorded in the minutes of the board. The adoption shall include textbooks for all branches of study specified in the state course of studies for schools of all grades, and no others. At least three votes shall be necessary for a choice of any textbook.

Section 86. The proposals of each publisher shall be submitted to the board in writing, not later than the first day of the session of the board, and shall contain the full title of each textbook proposed to be furnished by him, the date of copyright, the price at which it can be exchanged up to the thirty-first day of December, inclusive, of the year of adoption for the corresponding textbooks then in use in the common schools, the introductory price at which it will be sold to the patrons of the schools of this state up to the thirty-first day of December, inclusive, of the year of adoption, and the retail price thereafter during the period of adoption, and the proposal shall further contain an offer to furnish to the said patrons the textbooks described, or any one of them at prices, and no higher, than contained in the proposal, during the period of six years from their adoption, and to comply with the other requirements of this act.

Section 87. The said board may adopt or reject any textbook or all textbooks contained in any proposal, or if the price of any textbook in all the proposals shall be considered by the board unreasonably high, or the book not suitable, the board may reject such textbook and thereafter at the same, or subsequent session, receive new proposals for such book, and adopt it in the same manner as above provided. No publisher shall have the right to have his proposal as to any textbook considered, unless he shall have delivered to each member of the board one copy of such textbook, at least sixty days before the meeting of the board, free of cost.

Section 88. When textbooks have been adopted in accordance with the provisions of this act, the state board of textbook commissioners shall immediately report such adoption to the state board of education. Such report shall contain the full title of each book adopted, as printed therein, the date of copyright, the exchange, the introductory and the retail price thereof, and such other facts and information as may be deemed expedient. The report shall be signed, in triplicate, by each member of the board, and attested by the secretary. One copy shall be delivered to the governor, one to the superintendent of public instruction and one retained by the chairman of the board.

Section 89. On receiving the report of the state board of textbook commissioners, the state board of education shall, as soon as practicable, enter into a written contract, made in triplicate, with each publisher whose book

or books shall have been adopted, which shall require the publisher to maintain at least one depository in each county in the state, to be designated by the state board of education, where such book or books may be purchased; to furnish the same according to the provisions of this act, and the conditions named in the bid. One copy shall be delivered to the governor, one to the state superintendent of public instruction and one to the publisher named therein. Acting in behalf of the state, the state board of education shall take from each publisher entering into a contract as herein specified, a good and sufficient bond, in such sum as stipulated damages as the said board may determine, and payable to the state of Oregon for the benefits of the common school fund, with at least two sureties to be approved by the state board of education, for the full and faithful performance of the same. And if any publisher shall neglect or fail to carry out the provisions of said contract on his part, or shall, with intent to evade said provisions, sell any of said textbooks in this state at higher prices than provided for in his contract, the state board of education shall have power in its discretion, on behalf of the state, to rescind the said contract and to notify the publisher thereof, or to bring the appropriate action or suit to enforce the provisions of the publisher's bond.

Section 90. In the month of August, in the year 1901, and in the month of August every six years thereafter, the state superintendent of public instruction shall, under the direction of the state board of education, issue a circular giving the full title of each book adopted by the state board of textbook commissioners, as printed therein, the date of copyright, the exchange, the introductory and the retail price thereof, and such other facts and information as may be deemed expedient. Such circular shall be sent to each county superintendent, free of cost, in sufficient quantities to enable him to supply a copy without charge to each school officer in his county.

Section 91. If at any time during the six years covering the adoption of textbooks as herein provided, a publisher shall fail or be unable to furnish any adopted textbook, or his contract be rescinded, or for any cause it becomes necessary to adopt any textbook instead of or in addition to those required by the course of study in force at the time of the regular adoption, the chairman of the board of textbook commissioners or the governor may call a special session of said board, and it shall thereupon convene and adopt such textbook in the same manner as in this act provided, and the state superintendent shall, in such case, cause the proper circulars and notices to be sent to publishers.

Section 92. In the month of July, in the year 1901, and in the month of July every six years thereafter, and at no other time, the board of directors in any district in which a high school is maintained shall adopt textbooks required to complete any branch of study added by such board of directors to the branches of study specified for a state high school course. Such adoption shall be made *viva voce*, and a majority vote of the entire board shall be necessary to a choice of any textbook, and the vote thereon of each member shall be recorded in the minutes of the board. No textbook shall be adopted as herein provided that shall be used, directly or indirectly, as a substitute for any textbook adopted by the state board of textbook commissioners, or that shall, directly or indirectly, replace any such adopted textbooks.

Section 93. When textbooks have been adopted by a board of school directors, as herein provided, such board of school directors shall, not later than thirty days after the adoption enter into a written contract made in triplicate, with each publisher whose book or books shall have been adopted, to maintain at least one depository in such district where such book or books may be purchased; to furnish the same according to the provisions of this act, and the conditions named in the bid. One copy shall be delivered to the state superintendent of public instruction, one to the clerk of such district, and one to the publisher named therein, and the provisions

of this act concerning the adoption of textbooks by the state board of textbook commissioners shall apply to the adoption of additional textbooks by boards of directors, as far as the same may be applicable.

Section 94. It is hereby made the duty of all boards of school directors to cause the textbooks adopted as provided in this act to be introduced and used in their respective schools within fifteen months from the date of adoption.

Section 95. The textbooks that may be adopted under the provisions of this act, and none others, shall be used in the public schools of this state thereafter, and it shall be the duty of school officers and teachers to comply with the provisions of this act concerning the same. If any teacher shall willfully violate any of said provisions, he shall be deemed to have violated the terms of his contract with the district. Any taxpayer of a school district, or parent or guardian of a child attending a common school in any district shall be deemed to have such a beneficial or direct interest in the enforcement of this law concerning textbooks, as that he may bring any proper proceeding in a court of competent jurisdiction, to compel the board of directors of his district, or teachers in his school, to perform the duties enjoined upon them by this act in relation to textbooks.

Section 96. Each member of the state board of textbook commissioners, and the secretary elected by them, shall be paid \$100 for attendance at each meeting required in this act, and a further sum of 10 cents for each mile traveled in going to and returning from such meeting on the most usual route. Any claim for compensation made under the provisions of this act shall be audited by the secretary of state, and paid out of any funds in the hands of the state treasurer not otherwise appropriated.

Section 97. All of titles I, II, III, IV and V, chapter XVI, of the laws of Oregon, as compiled and annotated by W. Lair Hill, and an act entitled "An act to amend section 2802 of title IV of chapter XVI of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the powers and duties of directors of school districts, and contract indebtedness and issue bonds by school districts, and legalize school district bonds heretofore issued," filed in the office of the secretary of state February 23, 1893, and an act entitled "An act to encourage more thorough preparation of teachers for public school work in the state of Oregon," approved February 20, 1891, and an act entitled "An act establishing school districts in towns of ten thousand inhabitants," approved October 26, 1882, and all acts amendatory thereof, and an act entitled "An act authorizing school districts to incur indebtedness for building school buildings or purchasing lands for school purposes," approved October 15, 1898, and an act entitled "An act to define the qualifications of voters at all school meetings and school elections and to provide for the establishment and regulation of polling places and elections in districts having a school population of more than two thousand," approved October 15, 1898, and an act entitled "An act to provide suitable times for holding teachers' quarterly public examinations; to provide for the disposition of examination papers; and to amend sections 1 and 2 of an act entitled 'An act to provide suitable times for holding teachers' quarterly public examinations,'" and all acts and parts of acts in conflict herewith are hereby repealed.

On motion of Senator Kuykendall, the consideration of the amendments was made a special order for 10 o'clock tomorrow.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 9, 1899.)

Your committee on judiciary, to whom was referred senate bill No. 173, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Add to section 4 the following words:

Provided, that nothing contained in this act shall apply to sales by executors, administrators, receivers, or any public officer acting under judicial process.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendment was adopted.

On motion of Senator Selling, the members of the joint committee on the part of the senate, appointed under the provisions of house concurrent resolution No. 5, was discharged.

Unanimous consent being given, Senator Porter called up house bill No. 214.

Senator Porter moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Daly of Benton, Daly of Lake, Looney and Morrow—5.

So the rules were suspended and the bill was read second time by title only.

Senator Porter moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Daly of Benton, Looney and Morrow—4.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Lake, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Clem, Daly of Benton, Fulton, Mackay and Morrow—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The president presented to the senate the following communication:

COMMUNICATION.

SALEM, Oregon,
February 9, 1899. }

To the honorable, the senate of the state of Oregon:

GENTLEMEN: The Oregon state board of agriculture, now in regular session, hereby request your honorable body to appoint a committee with which we may confer relative to the status of this association, as well as to the effect upon its efficiency in the event of the enactment of the senate bill repealing the section of law creating this board, which appropriates \$5,000 to its use for the payment of premiums.

Respectfully,

Attest: C. D. GABRIELSON,
Secretary.

A. J. JOHNSON,
President.

Senator Looney moved that a committee of five be appointed by the president to confer with the Oregon state board of agriculture, as per request in communication from that board.

Senator Selling moved to amend the motion by striking out "5" and inserting "3."

The amendment was adopted.

The original motion, as amended, was adopted.

Unanimous consent being given, Senator Adams, chairman of the committee on public buildings, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 9, 1899. }

Your committee on public buildings and institutions, to whom was refer-

red house bill No. 19, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

That section 3 of said act be amended so that the same shall read as follows:

Section 3. In any improvement contract, let or made by the state, or any county, school district or other municipal corporation, board or public officer, the said state, county, school district, or other municipal corporation, board or public officer shall have the power to withhold sufficient of the contract cost to pay the claims of any and all sub-contractors, laborers and material-men, whether provision to that effect be made a part of said contract or not.

AMENDMENT.

That the emergency clause of said bill be amended to read as follows:

Section 4. Inasmuch as there is no protection at this time for sub-contractors, laborers and materialmen when material is furnished and labor performed upon public improvements in the state of Oregon, an emergency is hereby declared, and this act shall be in full force and effect upon its approval by the governor.

L. J. ADAMS,
Chairman.

On motion of Senator Adams, the amendments were adopted.

Unanimous consent being given, Senator Adams, chairman of the committee on public buildings and institutions, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 9, 1899.)

Your committee on public buildings and institutions, to whom was referred house bill No. 26, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

L. J. ADAMS,
Chairman.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 9, 1899.)

Your committee on enrolled bills, to whom was referred senate bill No.

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7 and senate joint resolution No. 9, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

The president appointed Senators Josephi, Wade and Michell as a special committee to confer with the state board of agriculture.

On motion of Senator Fulton, the senate adjourned.

S. L. MOORHEAD
Chief clerk.

FRIDAY, FEBRUARY 10, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1899. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senator Morrow.

The morning session of the senate was opened with prayer by Rev. J. W. Becknell of Salem, Oregon.

On motion of Senator Smith, the reading of yesterday's journal was dispensed with.

The amendments recommended in the report of the committee on education, on senate bill No. 4, being made a special order for 10 o'clock a. m. today, the same was taken up for consideration.

On motion of Senator Kelly, senate bill No. 3 with amendments recommended by the committee on education, was ordered printed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 9, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 15, requesting our senators and representatives in congress to use all honorable efforts to

procure the modification of the alien act of the parliament of British Columbia barring foreigners from the mines in said province.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 15.

Whereas, The parliament of British Columbia has recently passed an alien act debarring foreigners from taking up mining claims or working them in said province, to the great detriment of citizens of the United States;

Be it resolved by the house, the senate concurring, that our senators and representatives in congress are hereby instructed and requested to use every honorable effort to procure the modification of such law of British Columbia.

Senator Dufur moved that the senate concur in house concurrent resolution No. 15.

On motion of Senator Fulton house concurrent resolution No. 15 was referred to committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 9, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 259, a bill for an act providing for the release of sureties upon bonds.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 9, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 247, a bill for an act authorizing and empowering the secretary of state to execute a deed to certain lands to I. E. Saling.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

The president submitted the following report of the board of managers of the state stove foundry :

REPORT.

SALEM, Oregon, February 9, 1899.

To the honorable senate and house of representatives of the state of Oregon:

GENTLEMEN :—By virtue of a resolution passed during the present session of the legislature, the board of managers of the state stove foundry was directed to effect a settlement and compromise of the indebtedness due the state of Oregon from Loewenberg and Going Company, the Northwestern Stove Foundry, J. Lowenburg, and J. W. Going, on the basis of a payment of \$32,500 ; \$10,000 in cash, and the balance in notes secured satisfactorily to the board, in full for all demands against the contractor, up to and including January 1, 1899.

In compliance with the requirements of the said joint resolution, the board of managers of the state stove foundry has effected a settlement in substantial compliance with its provisions. The said J. Loewenberg, Loewenberg, Going and Company, and Northwest Stove Foundry have paid to the said board of managers the sum of \$10,000 in cash, and given two promissory notes, one amounting to \$10,000, payable on January 1, 1900, and the other for \$12,500, payable January 1, 1901, said notes to draw interest at the rate of six per cent per annum.

The payment of these notes is secured by property situated in the penitentiary, and belonging to said Loewenberg and Going Company, and held by the present superintendent of the penitentiary, and to be held by his successor in office until said notes are paid in full.

The old lease for convict labor has been surrendered and canceled, and a new lease for the number of convicts therein set out has been made with Loewenberg and Going Company, instead of with J. Loewenberg as formerly, and the old lease for foundry plant has been assigned, with consent of the board, to said Loewenberg and Going Company, rent to be paid quarterly in advance. The rent has been paid in advance for the current quarter. The contract further provides that in case of the failure of said Loewenberg and Going Company to pay the rent as therein specified, or in case the securities for the said two notes shall in any manner become reduced in value, in any amount whatever, that the notes shall immediately become due and collectable, at the option of the board.

T. T. GEER,
Governor.
F. I. DUNBAR,
Secretary of State.
CHAS. S. MOORE,
State Treasurer.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill

No. 173, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senate bill No. 65 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Howe, Morrow, Mulkey and Porter—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 68 coming on for third reading, on motion of Senator Bates the bill was laid on the table.

Senate bill No. 83 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Reed, Selling, Smith, Wade and Mr. President—24.

Nays—Senator Proebstel.

Absent—Senators Brownell, Harmon, Howe, Morrow and Porter—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 98 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith and Wade—24.

Nays—Senators Cameron, Mulkey and Mr. President—3.

Absent—Senators Howe, Harmon and Morrow—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 161 was read third time.

The president called Senator Kuykendall to the chair.

On motion of Senator Fulton, senate bill No. 161 was made a special order for 2:30 o'clock p. m. Monday, February 13.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

February 10, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 41, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

On motion of Senator Dufur, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,

February 10, 1899. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called and all of the senators were present except Senator Morrow.

Senate bill No. 63 being made a special order for 2 o'clock p. m. today, the same was taken up for consideration.

Senator Mulkey moved that senate bill No. 63 be made a special order for Wednesday, February 15, at 10 o'clock a. m.

Senators Selling and Josephi called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Harmon, Kelly, Kuykendall, Looney, Mackay, Mulkey, Porter, Reed, Smith and Wade—18.

Nays—Senators Bates, Daly of Benton, Haines, Haseltine, Josephi, Michell, Patterson, Proebstel, Selling and Mr. President—10.

Absent—Senators Howe and Morrow—2.

So senate bill No. 63 was made a special order for Wednesday, February 15, at 2 o'clock p. m.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bill No. 7, and senate joint resolution No. 9.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
 Chief clerk.

The president announced that he was about to sign senate bill No. 7, and senate joint resolution No. 9, and soon thereafter stated that he had signed the same.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following majority report:

REPORT.

SENATE CHAMBER, }
 SALEM, Oregon, }
 February 10, 1899. }

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 41, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Strike out the characters " $\frac{1}{2}$ " in line 3 of section 1 of the engrossed copy of said bill, and insert in lieu thereof " $\frac{3}{4}$."

AMENDMENT.

Add to section 4 the following: "*Provided, however, that a legal voter within the meaning of this act shall have resided within the county continuously for a period of at least six months prior to the time when the election hereinbefore mentioned shall take place.*"

PERCY R. KELLY,
 Chairman.

Senator Kelly moved the adoption of the amendments.

Senator Mackay moved a division of the amendments and that each amendment be acted on separately.

The motion prevailed.

Senator Bates demanded a call of the senate.

The roll was called, and those present were Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall,

Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Absent—Senators Brownell, Dufur, Howe and Morrow—4.

Senators Brownell, Dufur and Howe were noted present.

On motion of Senator Bates, further proceedings under call of the senate were dispensed with.

On the adoption of the first amendment, Senators Mackay and Bates called for the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Porter, Proebstel, Reed and Selling—22.

Nays—Senators Adams, Haines, Harmon, Patterson, Smith, Wade and Mr. President—7.

Absent—Senator Morrow.

So the senate adopted the first amendment.

A vote being taken on the second amendment, the senate refused to adopt the same.

A vote being taken on the third amendment, the same was adopted.

Unanimous consent being given, the following amendment was adopted:

Amend section 9 by striking out "majority" in line 3, and inserting "3-5" in lieu thereof, also by striking out "said majority" in line 5 thereof and inserting "3-5" instead.

The report, as amended, was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 291, a bill for an act to appropriate water from lakes and running streams.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has

passed house bill No. 374, a bill for an act withdrawing from sale certain school lands and reducing the rate of interest on school funds.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 2, with the amendment thereto attached.

AMENDMENT.

On page 5, line 5 of printed bill, after the word "delinquent" insert the following: "The tax collector shall cause to be published for ten (10) consecutive days in a newspaper of general circulation published within the county, notice of the day on which taxes for the year designated will become delinquent, and"—

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Bates, the amendment was adopted.

Unanimous consent being given, Senator Looney, chairman of the special committee to visit the school for deaf mutes and blind school, submitted the following report:

REPORT.

SENATE CHAMBER, }
SALEM, Oregon, }
February —, 1899. }

Mr. President:

Your special committee, appointed to visit the school for deaf mutes, beg leave to report that we have performed the duty assigned us, and we respectfully call attention to a report made by a similar committee from the house of representatives, and hereby endorse the sentiments of that report.

N. H. LOONEY,
Chairman.

REPORT OF HOUSE COMMITTEE.

SALEM, Oregon, January 22, 1899.

To the speaker and the house of representatives:

GENTLEMEN: Your special committee, appointed to visit the deaf mute school and blind school in the city of Salem, beg leave to submit the following report:

We visited the deaf mute school situated seven and one-half miles from Salem, and found the school in most excellent condition under the able management of Rev. Mr. Knight. The students show great proficiency in their work and studies, showing the school to be under the management of competent instructors. The building erected by the state at a cost of \$27,000 is a substantial brick building, the interior being neat and clean, the sanitary conditions excellent, and the students receive all the comforts of a home.

The building was poorly constructed, the contractors not complying with their contract, in that green wood was used for flooring, doors and inside finishing, causing the same to shrink, and requiring immediate repairs. The plastering is falling off, owing to the fact that the plasterers did not use any hair in the mortar used, as called for by the specifications, the same being of the poorest quality and the workmanship of the poorest kind.

The location of the school is very poor, and ought to be moved nearer the city. It is in too close proximity to the reform school, requiring the utmost vigilance and watch over the older members of the school. In view of the fact that the crowded condition of the state insane asylum will require the immediate construction of additional buildings at an estimated cost of \$40,000, and a new and more suitable site for the deaf mute school can be obtained closer to the city of Salem, and the estimated cost of the same, including the erection of a new building thereon, will not exceed the sum of \$25,000, and the present school building can be used by the insane asylum, thereby doing away with the construction of an addition to the asylum, making a saving to the state of \$15,000—we would recommend that a suitable site be purchased in Salem for a new deaf mute school, and a building erected thereon, the cost of land and building not to exceed the sum of \$25,000, and the present deaf mute school to be turned over to the asylum.

The building now used by the deaf mute school adjoins the asylum farm and contains over one hundred acres, the land being of no use to the school (as experience has demonstrated that boys and girls whose ages do not average over thirteen years do not make good farmers), as was intended by the projectors of the

deaf mute school. The building will accommodate one hundred patients of the asylum, and will answer for all purposes and relieve the present crowded condition of the asylum.

We would recommend to the ways and means committee the incorporation of an appropriation of \$25,000 for the purposes herein mentioned, and that the contract be awarded as soon as possible, to be awarded to the lowest bidder, and to be under the supervision of the state board.

We would recommend that there be no change made in the present management of the deaf mute school, believing that it is well and economically managed, and to the best interests of the state and the students.

Respectfully submitted,
(Signed by committee).

On motion of Senator Selling, the report was referred to the committee on commerce.

Unanimous consent being given, Senator Haseltine, chairman of the committee on horticulture, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

February 10, 1899.

Mr. President:

Your committee on horticulture, to whom was recommitted senate bill No. 59, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass as engrossed.

J. E. HASELTINE,
Chairman.

Senate bill No. 59 coming up for consideration, unanimous consent being given, the chief clerk was authorized to insert the word "knowingly."

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Daly of Benton, Haines, Harmon, Haseltine, Josephi, Kelly, Mackay, Mulkey, Porter, Selling and Mr. President—13.

Nays—Senators Adams, Cameron, Clem, Daly of Lake, Driver, Fulton, Howe, Proebstel, Reed, Smith and Wade—11.

Absent—Senators Dufur, Kuykendall, Looney, Michell, Morrow and Patterson—6.

So the bill failed to pass.

Unanimous consent being given, Senator Porter, chairman of the committee on public lands, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President :

February 10, 1899. }

Your committee on public lands, to whom was referred senate bill No. 126, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments :

AMENDMENT.

That the words "two thousand," in line 1 of section 5, be stricken out, and the words "eighteen hundred" be inserted.

AMENDMENT.

In line one, section 7, strike out the words "and required."

AMENDMENT.

In line 2, section 7, strike out "the uniform price of," and insert in place thereof "not less than."

AMENDMENT.

In line 3, section 7, after the word "at" insert "not less than."

AMENDMENT.

At the end of section 7 insert "provided that not more than three hundred and twenty acres of any one kind of land shall be sold to one person."

AMENDMENT.

In line 1, section 8, strike out the words "and directed" after the word "authorized."

AMENDMENT.

In line 4, section 18, strike out all of the line after the word "all", all of lines 5 and 6, to the word "where."

AMENDMENT.

The state land board proposes the following amendments to the bill, which your committee indorse:

In line 4, section 1, printed bill, after the word "act" add "and he is hereby authorized to appoint such agent or agents as may be necessary in the performance of this duty."

AMENDMENT.

In line 3, section 2, make the last word read "is" instead of "are."

AMENDMENT.

In line 2, section 5, strike out all after the word "quarterly," and insert "upon order of the board from the school fund interest."

AMENDMENT.

In line 7, section 6, after the word "fund" add "upon the order of said board."

AMENDMENT.

In line 4, section 7, strike out all after the words "which shall be" to and including the word "acre" in line 5, and insert "which indemnity selections remaining unsold shall be withheld from sale."

AMENDMENT.

In line 1, section 8, strike out the words "and directed" after the word "authorized."

AMENDMENT.

In line 16, section 12, strike out the words "an abstract" after the word "volume" and insert the words "a true copy;" and in line 17 strike out the word "abstract" after the word "such" and insert the word "copy."

AMENDMENT.

In line 2, section 17, strike out the word "six" after the word "off" and insert the word "eight;" also in line 7 strike out the word "six" after the words "interest at" and insert the word "eight."

AMENDMENT.

Section 18. Strike out all after the word "assigns," in line 12, to the word "upon," inclusive, in line 13, and insert the word "from."

AMENDMENT.

Section 19. In line 4, strike out the word "six" and insert the word "five." Also strike out all after the word "assigns," in line 6, to and including the word "upon" in line 7, and insert the word "from." And, also, insert after the word "use" in line 9, the words "or could not have had the use."

AMENDMENT.

Section 22. Insert after the word "islands," in line 7, the following: "and all the proceeds of the sale of the five hundred thousand acres of land which this state is entitled by provision of an act of congress entitled "an act to appropriate the proceeds of the sales of the public lands and to grant preëmption rights, approved September 4, 1841," and also add at the end of line 10, same section, "*provided, however,* that all lawful claims for repayment of moneys out of escheated estates, and for attorneys fees, and all other expenses in any suit or proceeding relating to escheated estates, shall be audited by the state land board and paid from the said fund principal."

AMENDMENT.

Section 28. Add after the word "made," line 10, "the amount of the principal of said loan, and the excess, if any, to school fund interest."

L. L. PORTER,
Chairman.

On motion of Senator Porter, the amendments were adopted.

Senate bill No. 234. Senator Mulkey (by unanimous consent). A bill for an act to enable borrowers of school fund to have immediate benefit of the law reducing rate to six per cent.

The bill was read first time and passed to second reading without question.

Senator Mulkey moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—27.

Nays—Senator Selling—1.

Absent—Senators Looney and Morrow—2

So the rules were suspended and the bill was read second time by title only.

Senator Mulkey moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Kelly, Kuykendall, Mulkey, Patterson, Smith and Mr. President—15.

Nays—Senators Adams, Bates, Josephi, Mackay, Michell, Porter, Proebstel, Selling and Wade—9.

Absent—Senators Brownell, Dufur, Haseltine, Looney, Morrow and Reed—6.

So the senate refused to suspend the rules.

Unanimous consent being given, Senator Kuykendall, chairman of the committee on education, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 10, 1899.

Your committee on education, to whom was referred senate bill No. 215,

beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. KUYKENDALL,
Chairman.

Senator Kuykendall moved that the rules be suspended, the bill considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Kuykendall, Looney, Michell, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—24.

Nays—Senator Josephi.

Absent—Senators Brownell, Dufur, Mackay, Morrow and Reed—5.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Michell, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Mackay, Morrow and Porter—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 225. Senator Michell (by unanimous consent). A bill for an act to provide for the appointment of three commissioners for the supreme court.

Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—Senator Fulton.

Absent—Senators Brownell, Morrow and Porter—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Michell moved that the rules be suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Cameron, Dufur, Josephi, Kuykendall, Michell, Muirkey and Mr. President—8.

Nays—Senators Adams, Clem, Daly of Lake, Fulton, Haines, Harmon, Haseltine, Howe, Kelly, Looney, Patterson, Porter, Proebstel, Reed, Selling and Wade—16.

Absent—Senators Brownell, Daly of Benton, Driver, Mackay, Morrow and Smith—6.

So the senate refused to suspend the rules.

Unanimous consent being given, Senator Adams introduced senate resolution No. 16.

SENATE RESOLUTION NO. 16.

Resolved, That the senate committee on ways and means be authorized to fix the compensation of the officers and pages of the present legislative session in the senate.

Senator Adams moved the adoption of the resolution.

The motion was lost.

Senator Harmon moved that when the senate adjourn it adjourn to meet at 7:30 p. m. today.

The motion prevailed.

Senate bill No. 172 coming on for third reading, on motion of Senator Proebstel, was indefinitely postponed.

Senate bill No. 178 was read third time.

On motion of Senator Selling the bill was recommitted to the committee on printing with leave to report at any time.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 180, a bill for an act to prevent animals running at large in the forks of the Santiam, in Linn county.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 79, a bill for an act relating to the collection of taxes.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 190, a bill for an act to amend an act authorizing the appointment of official reporters.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 176, a bill for an act to amend section 72 of Hill's code, relating to answer of defendant.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 217, a bill for an act directing how supplemental articles of incorporation shall be executed and filed and recorded.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 10, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 212, a bill for an act abolishing joint tenancy.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 203 was read third time.

Unanimous consent being given, the chief clerk was authorized to make correction in the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Looney and Morrow—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 10, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 44, a bill for an act providing for attaching of personal property in the hands of state, county, city or school district.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 280, a bill for an act providing for the destruction by road supervisors of dagger cocklebur and sweet briar.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 288, a bill for an act relating to the practice of dentistry in the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
 SALEM, Oregon, }
 February 10, 1899. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 234, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
 Chairman.

Senate bill No. 16 was read third time.

Senator Mackay demanded a call of the senate.

The roll was called, and those present were Senators Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Mulkey, Proebstel, Reed, Selling, Smith, Wade and Mr. President—23.

Absent—Senators Adams, Brownell, Dufur, Looney, Morrow, Patterson and Porter—7.

Senators Looney, Adams, Patterson, Porter and Brownell were noted present.

On motion of Senator Michell, further proceedings under call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Driver, Fulton, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mulkey, Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—24.

Nays—Senators Bates, Daly of Lake and Haines—3.

Absent—Senators Dufur, Mackay and Morrow—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 312, a bill for an act to regulate the sale of illuminating oils, and providing for inspection thereof.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 253, a bill for an act relating to peddlers' licenses.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 46 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—26.

Nays—Senators Clem, Smith and Wade—3.

Absent—Senator Morrow.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 10, 1899.)

Your committee on enrolled bills, to whom was referred senate bill No. 2, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

On motion of Senator Michell, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

EVENING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1899.)

The senate was called to order at 7:30 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senator Morrow.

Senator Daly of Lake moved that the rules be suspended and the senate pass from the seventh to the tenth order of business.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Josephi, Kelly,

Kuykendall, Mackay, Michell, Patterson, Porter, Proebstel, Smith, Wade and Mr. President—22.

Nays—Senators Haseltine and Selling—2.

Absent—Senators Brownell, Howe, Looney, Morrow, Mulkey and Reed—6.

So the rules were suspended and the senate passed from the seventh to the tenth order of business.

Senator Dufur (by request) was excused after adjournment until Monday.

House bill No. 10 coming on for first reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Morrow and Mulkey—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 89 coming on for first reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Mackay and Morrow—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 207 coming on for first reading, Senator Cameron moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell,

Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Mulkey—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 232 coming on first for reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Mulkey and Porter—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 237 coming on for first reading, Senator Harmon moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Harmon, Morrow and Porter—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 373 coming on for first reading, Senator Daly of Lake, moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Howe, Morrow and Mulkey—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 46 coming on for first reading, Senator Harmon moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Mulkey—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 114 coming on for first reading, was read first time.

House bill No. 132 coming on for first reading, Senator Smith moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Mulkey—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 206 coming on for first reading, Senator Smith moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Porter—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 239 coming on for first reading, Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Mulkey—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 257 coming on for first reading, Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Morrow, Mulkey and Porter—3.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 347 coming on for first reading, Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Howe, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Mulkey—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 349 coming on for first reading, Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wado and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Porter—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Clem was excused.

House bill No. 143 coming on for first reading, Senator Smith moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 166 coming on for first reading, Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 178 coming on for first reading, Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine,

Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 96 coming on for first reading, Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 247 coming on for first reading, Senator Selling moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 228 coming on for first reading, Senator Selling moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 259 coming on for first reading, Senator Dufur moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 316 coming on for first reading, Senator Cameron moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 341 coming on for first reading, Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 44 coming on for first reading, Senator Dufur

moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 79 coming on for first reading, Senator Kuykendall moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 176 coming on for first reading, Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 180 coming on for first reading, Senator Kelly moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 190 coming on for first reading, Senator Bates moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 212 coming on for first reading, Senator Mackay moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 217 coming on for first reading, Senator Kelly moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell,

Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 253 coming on for first reading, Senator Selling moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 280 coming on for first reading, Senator Driver moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 288 coming on for first reading, Senator Smith moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 291 coming on for first reading, Senator Dufur moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 312 coming on for first reading, Senator Smith moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

House bill No. 374 coming on for first reading, Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Josephi moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—26.

Nays—Senator Selling—1.

Absent—Senators Clem, Fulton and Morrow—3.

So the rules were suspended and the bill was read second time by title only and referred to the committee on public lands.

House bill No. 1 coming on for second reading, Senator Michell moved that the rules be suspended and that the bill be read second time by title.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on irrigation.

House bill No. 13 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended, and the bill was read second time by title only and referred to the committee on fishing industries.

House bill No. 15 coming on for second reading, Senator Mackay moved that the rules be suspended and that the bill be read the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine,

Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 16 coming on for second reading, Senator Bates moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 18 coming on for second reading, Senator Driver moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Dufur, referred to the committee on judiciary.

House bill No. 25 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

House bill No. 30 coming on for second reading, Senator Mulkey moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 33 coming on for second reading, Senator Mulkey moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

House bill No. 81 coming on for second reading, Senator Daly of Benton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time

by title only and referred to the committee on judiciary, with leave to report at any time.

House bill No. 92 coming on for second reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 122 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only, and referred to the committee on fishing industries.

House bill No. 131 coming on for second reading, Senator Michell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on counties.

House bill No. 148 coming on for second reading, Senator

Bates moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Selling, referred to the committee on commerce and navigation.

House bill No 182 coming on for second reading, Senator Mulkey moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Harmon, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to a special committee, consisting of the senator from Yamhill county.

House bill No. 279 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 311 coming on for second reading, Senator Smith moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Smith, referred to the committee on municipal corporations.

House bill No. 328 coming on for second reading, Senator Cameron moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only.

Senator Cameron moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mulkey Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mul-

key, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 11 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Fulton, was referred to the committee on judiciary.

House bill No. 17 coming on for second reading, Senator Bates moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 42 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Kuykendall, was referred to the committee on education.

House bill No. 82 coming on for second reading, Senator Patterson moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Patterson, referred to the committee on counties.

House bill No. 84 coming on for second reading, Senator Kuykendall moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only.

Senator Kuykendall moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 90 coming on for second reading, Senator Kelly moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on ways and means.

House bill No. 119 coming on for second reading, Senator Selling moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on military affairs.

House bill No. 139 coming on for second reading, Senator Jo-

sephi moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on military affairs.

House bill No. 140 coming on for second reading, Senator Selling moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on military affairs.

House bill No. 297 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on fishing industries.

House bill No. 353 coming on for second reading, Senator Cam-

eron moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only.

Senator Cameron moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Daly of Benton, Daly of Lake, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Clem, Driver, Dufur and Morrow—5.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Clem, Brownell, Fulton and Morrow—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 32 coming on for second reading, Senator Adams moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Hasel-

tine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 93 coming on for second reading, Senator Looney moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on assessment and taxation.

House bill No. 94 coming on for second reading, Senator Smith moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 108 coming on for first reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended, and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 127 coming on for second reading, Senator Daly of Lake, moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on railroads.

House bill No. 149 coming on for second reading, Senator Mackay moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on commerce and navigation.

House bill No. 151 coming on for second reading, Senator Adams moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

House bill No. 152 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on fishing industries.

House bill No. 156 coming on for second reading, Senator Mackay moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 158 coming on for second reading, Senator Selling moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 168 coming on for second reading, Senator Mi-

chell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on counties.

House bill No. 249 coming on for second reading, Senator Smith moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 327 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on counties.

House bill No. 339 coming on for second reading, Senator Cameron moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only.

Senator Cameron moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Clem, Dufur, Fulton, Michell and Morrow—5.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—22.

Nays—None.

Absent—Senators Adams, Clem, Fulton, Harmon, Michell, Morrow, Mulkey and Smith—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 3 coming on for second reading, Senator Adams moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on commerce and navigation.

House bill No. 9 coming on for second reading, Senator Dufur moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on railroads.

House bill No. 20 coming on for second reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on assessment and taxation.

House bill No. 41 coming on for second reading, Senator Daly of Lake moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on roads and highways.

House bill No. 57 coming on for second reading, Senator Daly of Benton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on medicine, pharmacy and dentistry.

House bill No. 73 coming on for second reading, Senator Selling moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on railroads.

House bill No. 95 coming on for second reading, Senator Patterson moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on counties.

House bill No. 99 coming on for second reading, Senator Driver moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on railroads.

House bill No. 117 coming on for second reading, Senator Kelly moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 129 coming on for second reading, Senator Bates moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on roads and highways.

House bill No. 155 coming on for second reading, Senator Selling moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 157 coming on for second reading, Senator Bates moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Dufur, referred to the committee on judiciary.

House bill No. 177 coming on for second reading, Senator Adams moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

House bill No. 194 coming on for second reading, Senator Patterson moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton,

Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow — 2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on medicine, pharmacy and dentistry.

House bill No. 208 coming on for second reading, Senator Bates moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow — 2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

House bill No. 241 coming on for second reading, Senator Daly of Benton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on counties.

House bill No. 263 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell,

Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 6 coming on for second reading, Senator Driver moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

House bill No. 23 coming on for second reading, Senator Bates moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to committee on assessment and taxation.

House bill No. 36 coming on for second reading, Senator Mackay moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

House bill No. 75 coming on for second reading, Senator Kelly moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Michell, the bill was referred to the committee on counties.

House bill No. 106 coming on for second reading, Senator Dufur moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

House bill 109 coming on for second reading, Senator Patterson moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on agriculture.

House bill No. 154 coming on for second reading, Senator Patterson moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on commerce and navigation.

House bill No. 188 coming on for second reading, Senator Adams moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on revision of laws.

House bill No. 200 coming on for second reading, Senator Reed moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on fishing industries.

House bill No. 210 coming on for second reading, Senator Reed

moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on fishing industries.

House bill No. 222 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on judiciary.

Senator Harmon moved that when the senate adjourn it adjourn to convene at 2:30 o'clock p. m., Monday.

Senator Haines moved to amend by inserting 9 o'clock a. m. tomorrow in place of 2:30 o'clock, Monday.

Senator Brownell moved to amend the amendment by inserting 7 o'clock in place of 9 o'clock.

The amendment to the amendment was lost.

The amendment was adopted.

The motion as amended was adopted.

Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 9, 1899. }

Your committee on fishing industries, to whom was referred senate bill

No. 83, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. REED,
Chairman.

Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

February 9, 1899.

Mr. President:

Your committee on fishing industries, to whom was referred house bill No. 128, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. REED,
Chairman.

On motion of Senator Mackay, senate bill No. 41 was recommitted to the committee on commerce and navigation with leave to report at any time.

House bill No. 238 coming on for second reading, Senator Michell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Clem and Morrow—2.

So the rules were suspended and the bill was read second time by title only and referred to the committee on horticulture.

House bill No. 242 coming on for second reading, Senator Fulton moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Clem, Morrow and Mulkey—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on medicine, pharmacy and dentistry.

House bill No. 265 coming on for second reading, Senator Looney moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Clem, Morrow and Mulkey—3.

So the rules were suspended and the bill was read second time by title only and referred to the committee on ways and means.

House bill No. 346 coming on for second reading, Senator Patterson moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Clem, Morrow and Mulkey—3.

So the rules were suspended and the bill was read second time by title only and referred to the committee on fishing industries.

On motion of Senator Michell, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

SATURDAY, FEBRUARY 11, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1899. }

The senate was called to order at 9 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senators Dufur and Morrow.

On motion of Senator Michell, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 87 was read third time.

Senator Harmon moved to recommit senate bill No. 87.

The motion was lost.

Senator Mackay moved that further consideration of senate bill No. 87 be indefinitely postponed.

Senator Fulton demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were--

Senators Clem, Haseltine, Josephi, Mackay, Michell, Porter, Reed, Selling and Mr. President—9.

Nays—Senators Adams, Cameron, Daly of Benton, Fulton, Haines, Harmon, Kelly, Kuykendall, Looney, Mulkey, Patterson, Proebstel, Smith and Wade—14.

Absent—Senators Bates, Brownell, Dufur, Howe and Morrow—5.

Not voting—Senators Daly of Lake and Driver—2.

So the senate refused to indefinitely postpone.

On motion of Senator Fulton, senate bill No. 87 was recommitted to the committee on judiciary with instructions to consider further amendments, and with leave to report at any time, and the bill to take its regular place on the calandar.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 273, a bill for an act to incorporate the city of Salem.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 198, a bill for an act to amend the charter of Astoria, with the following amendment:

AMENDMENT.

Amend the bill by striking out the title of the act, and substituting therefor the following:

An act to incorporate the city of Astoria, in Clatsop county, state of Oregon, and to repeal an act entitled "An act to incorporate the city of Astoria, in Clatsop county, state of Oregon, and to repeal an act entitled 'An act to incorporate the city of Astoria, in Clatsop county, Oregon,' approved October 20, 1876," filed in the office of the secretary of state February 18, 1891.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Fulton, the amendment was concurred in.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 163, a bill for an act to incorporate the town of Seaside, Oregon.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has

passed house bill No. 366, a bill for an act to amend the charter of the city of Newberg, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 371, a bill for an act to fix the salaries of county officers in Columbia county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 106.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 112, a bill for an act to regulate the practice of horseshoeing.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senator Selling, chairman of the committee on commerce and navigation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 11, 1899. }

Your committee on commerce and navigation, to whom was referred senate bill No. 41, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

In section 1, strike out the figures "3-4" and insert "3-5."

BEN SELLING,
Chairman.

Senator Selling moved the adoption of the report.

Senator Daly of Lake moved to strike out the amendments suggested by the committee in its report.

Senator Mackay demanded a call of the senate.

The roll was called, and those present were Senators Adams, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—24.

Absent—Senators Bates, Cameron, Dufur, Kuykendall, Morrow and Porter—6.

Senators Cameron and Kuykendall were noted present.

On motion of Senator Selling, further proceedings under call of the senate were dispensed with.

Senator Daly of Lake called for the ayes and nays on the motion to strike out the amendment reported by the committee.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Lake, Driver, Fulton, Harmon, Kuykendall, Looney, Mulkey, Reed, Smith and Wade—12.

Nays—Senators Brownell, Clem, Daly of Benton, Haines, Haseltine, Howe, Josephi, Kelly, Mackay, Michell, Patterson, Porter, Proebstel, Selling and Mr. President—15.

Absent—Senators Bates, Dufur and Morrow—3.

So the motion was lost.

The original motion being put the report of the committee was adopted.

Unanmous consent being given, Senator Mackay, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 11, 1899.

Your committee on counties, to whom was referred senate bill No. 131, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

DONALD MACKAY,
Chairman.

Senator Selling moved that further consideration of house bill No. 131 be indefinitely postponed.

Senator Mulkey was called to the chair.

Senators Daly of Lake and Reed demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Clem, Daly of Benton, Daly of Lake, Haines, Haseltine, Howe, Josephi, Kelly, Mackay, Michell, Selling and Smith — 12.

Nays—Senators Adams, Brownell, Cameron, Driver, Fulton, Harmon, Kuykendall, Looney, Mulkey, Patterson, Porter, Proebstel, Reed, Wade and Mr. President—15.

Absent—Senators Bates, Dufur and Morrow—3.

So the motion was lost.

President Taylor resumed the chair.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 11, 1899.

Your committee on engrossed bills, to whom was referred senate bill No. 126, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 11, 1899.

Your committee on engrossed bills, to whom was referred senate bill No. 41, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 11, 1899.)

Your committee on revision of laws, to whom was referred senate bill No. 208, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

PERCY R. KELLY.
Chairman.

Senator Kuykendall was excused.

Unanimous consent being given, Senator Mulkey called up senate joint resolution No. 5.

Senator Clem was excused.

Senator Mulkey moved the adoption of senate joint resolution No. 5.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Benton, Daly of Lake, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—21.

Nays—None.

Absent—Senators Bates, Brownell, Clem, Driver, Dufur, Harmon, Kuykendall, Morrow and Porter—9.

So senate joint resolution No. 5 was adopted.

Senator Kelly was excused.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,

Mr. President:

February 10, 1899.)

I am directed by the speaker to inform you that the house has passed senate bill No. 184, with the amendments thereto attached:

AMENDMENT.

Amend the title by inserting "Columbia county," and changing the words "court of Clackamas county" to read "courts of Clackamas and Morrow counties."

AMENDMENT.

Amend section 1 by inserting after the words "Clackamas county, \$1,500.00," the words "Columbia county, including clerical assistance, \$2,300.00."

AMENDMENT.

Amend section 2 by inserting after the words "Clackamas county, \$1,700.00," the words "Columbia county, including salary of deputy, \$2,100 00;" also in same section after the words "except in the county of Clackamas," insert the words "and Columbia and Morrow."

AMENDMENT.

Amend section 4 by inserting after the words "county of Clackamas" the words "and county of Morrow," and the words "county court of Clackamas county" shall be changed to read "county courts of said counties."

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 224, a bill for an act requiring county clerks to transmit a summary of assessment rolls to the secretary of state.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Brownell, chairman of the committee on railroads, submitted the following report:

REPORT.

SENATE CHAMBER, }
SALEM, Oregon, }
February 11, 1899. }

Mr. President:

Your committee on railroads, to whom was referred house bill No. 99,

beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

GEO. C. BROWNELL,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1899. }
Mr. President:
Your committee on judiciary, to whom was referred house bill No. 92, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1899. }
Mr. President:
Your committee on judiciary, to whom was referred house joint resolution No. 4, beg leave to report that we have had the same under consideration, and respectfully report it back with the recommendation that the senate concur in the adoption of the resolution with the following amendment:

AMENDMENT.

Strike out the following words: "*Be it resolved by the house, the senate concurring, that the following amendment to section 2 of article XI of the constitution of the state of Oregon be, and the same is hereby proposed,*" and insert in lieu thereof the following: "*Be it resolved by the house, the senate concurring, that the following amendment to the constitution of the state of Oregon be, and the same is hereby proposed, that is to say, that section 2 of article XI of the constitution be amended so as to read as follows:*"

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the report was laid on the table until Monday.

Unanimous consent being given, Senator Mulkey, chairman of the committee on assessment and taxation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 11, 1899.)

Your committee on assessment and taxation, to whom was referred senate bill No. 24, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Strike out all of the title of said bill up to and including "and," in line 9 of said title.

AMENDMENT.

Strike out all up to section 12 of the printed bill.

B. F. MULKEY,
Chairman.

On motion of Senator Mulkey, the amendments were adopted.

Unanimous consent being given, Senator Haseltine, chairman of the committee on municipal corporations, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 11, 1899.)

Your committee on municipal corporations, to whom was referred house bill No. 7, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

Unanimous consent being given, Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 11, 1899.)

Your committee on enrolled bills, to whom was referred house bill No. 125, beg leave to report that we have had the same under consideration, and respectfully report the same back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

In the title of the printed bill, between the words "county" and "Oregon" insert the words "Clackamas county and Clatsop county."

AMENDMENT.

In line 1 of section 1 of said printed bill, strike out the words "court of Washington county," and insert in lieu thereof the words "court of Washington county, Clackamas county and Clatsop county" or board of county commissioners, as the case may be.

AMENDMENT.

In line 2 of said section, strike out the word "county" and insert in lieu thereof the word "counties."

AMENDMENT.

In line 3 of section 2 of said printed bill, strike out the words "of such county court" and insert in lieu thereof the words "the county court of said county" or board of county commissioners, as the case may be.

AMENDMENT.

In line 1 of section 4 of said printed bill, strike out the words "Washington county, Oregon, is" and insert in lie thereof the words "Washington county, Clackamas county and Clatsop county, Oregon, are."

G. W. PATTERSON,
Chairman.

On motion of Senator Patterson, the amendments were adopted.

Unanimous consent being given, Senator Howe, chairman of the special committee consisting of the senator from Yamhill county, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February —, 1899.)

Your special committee, to whom was referred house bill No. 182, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. A. HOWE,
Chairman.

Senator Howe moved that the rules be suspended and that house bill No. 182 be considered engrossed, read third time now and placed on final passage.

Senator Howe demanded a call of the senate.

The roll was called, and those present were Senators Adams, Cameron, Dalv of Benton, Daly of Lake, Fulton, Haines, Haseltine, Howe, Josephi, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—21.

Absent—Senators Bates, Brownell, Clem, Driver, Dufur, Harmon, Kelly, Kuykendall and Morrow—9.

Senators Brownell and Harmon were noted present.

On motion of Senator Selling, further proceedings under call of the senate were dispensed with.

Senate bill No. 182 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Daly of Benton, Daly of Lake, Fulton, Haives, Harmon, Haseltine, Howe, Josephi, Looney, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—22.

Nays—None.

Absent—Senators Bates, Clem, Driver, Dufur, Kelly, Kuykendall, Mackay and Morrow—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Selling, chairman of the committee on commerce and navigation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1899.

Mr. President:

Your committee on commerce and navigation, to whom was referred house bill No. 148, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

BEN SELLING,
Chairman.

Unanimous consent being given, Senator Porter, chairman of the committee on public lands, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1899.

Mr. President:

Your committee on public lands, to whom was referred house bill No. 374, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

L. L. PORTER,
Chairman.

Senator Porter moved that the rules be suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Daly of Benton, Daly of Lake, Fulton, Haines, Harmon, Haseltine, Josephi, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Smith, Wade and Mr. President—20.

Nays—Senators Howe, Reed and Selling—3.

Absent—Senators Bates, Clem, Driver, Dufur, Kelly, Kuykendall and Morrow—7.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

On motion of Senator Porter, the bill was made a special order for Monday at 3 o'clock p. m.

Unanimous consent being given, Senator Looney, chairman of the committee on agriculture, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 11, 1899.

Your committee on agriculture, to whom was referred house bill No. 109, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

Amend section 14 by inserting in line 1, engrossed bill, after the word "manufactures," the following words: "For sale in quantities exceeding twenty-five pounds per week."

N. H. LOONEY,
Chairman.

On motion of Senator Looney, the amendment was adopted.

Senator Looney moved that the rules be suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Daly of Benton, Daly of Lake, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Looney, Mackay, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—20.

Nays—None.

Absent—Senators Bates, Brownell, Clem Driver, Dufur, Kelly, Kuykendall, Michell, Morrow and Selling—10.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

Senator Reed demanded a call of the senate.

The roll was called, and those present were Senators Adams, Cameron, Daly of Benton, Daly of Lake, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—22.

Absent—Senators Bates, Brownell, Clem, Driver, Dufur, Kelly, Kuykendall and Morrow—8.

Senator Brownell was noted present.

On motion of Senator Looney, further proceedings under a call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Daly of Benton, Daly of Lake, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith and Mr. President—22.

Nays—Senator Wade.

Absent—Senators Bates, Clem, Driver, Dufur, Kelly, Kuykendall and Morrow—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Haseltine introduced senate resolution No. 17.

SENATE RESOLUTION NO. 17.

Resolved, That the chief clerk of this senate be and is hereby instructed to have the joint resolution which passed the senate on January 30th, tendering the thanks of this legislative assembly to Mr. Henry E. Dosch suitably engrossed and such copy furnished him, provided the expense will not exceed \$25.

Senator Haseltine moved the adoption of the resolution.

Senator Fulton moved that further consideration of senate resolution No. 17 be indefinitely postponed.

The motion was lost.

The original motion coming up for adoption the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Cameron, Haseltine, Josephi, Mackay, Michell, Mulkey and Reed—8.

Nays—Senators Adams, Daly of Benton, Fulton, Haines, Har-

mon, Howe, Looney, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—14.

Absent—Senators Bates, Clem, Daly of Lake, Driver, Dufur, Kelly, Kuykendall and Morrow—8.

So the senate refused to adopt senate resolution No. 17.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 11, 1899. }

Your committee on engrossed bills, to whom was referred senate bill No. 24, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

Senator Haseltine moved that when the senate adjourn it adjourn to meet at 2:30 p. m. Monday, February 13.

The motion prevailed.

On motion of Senator Adams, the senate adjourned.

S. L. MOORHEAD
Chief clerk.

MONDAY, FEBRUARY 13, 1899.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,

February 13, 1899. }

The senate was called to order at 2:30 o'clock p. m. by the president.

The roll was called, and all of the senators were present except Senator Adams.

The afternoon session of the senate was opened with prayer by the Rev. Mr. Evans, of Salem, Oregon.

On motion of Senator Haines, the reading of the journal of Saturday's proceedings was dispensed with.

Senate bill No. 161 being made a special order for 2:30 o'clock p. m. today, the same was taken up for consideration.

Unanimous consent being given, the chief clerk was instructed to insert the following amendment:

“Provided, that not more than one hundred and fifty thousand acres shall be selected in any one county prior to March 1, 1901; and provided further, that no contract to any one person, firm or corporation, for the right to reclaim more than one hundred and fifty thousand acres shall be entered into,” and to strike out “2” and insert “6” in line 4, section 7.

The question being, “Shall the bill pass?” the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Harmon, Haseltine, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Reed, Selling and Mr. President—21.

Nays—Senators Cameron, Clem, Haines, Howe, Kelly, Mulkey, Smith and Wado—8.

Absent—Senator Adams.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 374 having been made a special order for this hour, the same was taken up for consideration.

The question being, “Shall the bill pass?” the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith and Mr. President—27.

Nays—Senator Dufur.

Absent—Senators Adams and Wade—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has reconsidered the vote by which senate bill No. 2 passed the house, and said bill is now pending on its third reading tomorrow.

And the same is herewith transmitted to you for the information of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
 SALEM, Oregon, }
 February 11, 1899. }

To the honorable, the president of the senate:

I am directed by the governor to inform you that he has approved and signed the following bills: Senate bills Nos. 116, 212, 66, and house bills Nos. 170, 211, 340, 220, 195, 22 and 38.

WALTER LYON,
 Private secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 10, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 193.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
 Chief clerk.

On motion of Senator Looney, the vote whereby the senate passed house bill No. 109 was reconsidered.

Unanimous consent being given, the chief clerk was instructed to insert the following amendment: "as compared with total solids," to paragraph 10, section 4.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith and Mr. President—26.

Nays—Senator Wade.

Absent—Senators Adams and Driver—2.

Not voting—Senator Selling.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Reed, the courtesies of the senate were extended to Hon. J. C. Fullerton, and he was invited to a seat within the bar.

Unanimous consent being given, Senator Josephi called up senate bill No. 229.

Senator Josephi moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed and Mr. President—26.

Nays—Senators Selling, Smith and Wade—3.

Absent—Senator Adams.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Josephi, referred to the committee on commerce on navigation.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 13, 1899.

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 33, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 13, 1899.

Mr. President:

Your committee on enrolled bills, to whom was referred senate bills Nos. 184, 163, 106 and 198, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

On motion of Senator Mulkey, the courtesies of the senate were extended to Hon. I. F. M. Butler, and he was invited to a seat within the bar.

Senate bill No. 97 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Adams, Daly of Benton, Driver, Howe and Looney—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Morrow, the senate concurred in house amendments to senate bill No. 184.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 13, 1899.)

Mr. President:

I am directed by the speaker to inform you that he has signed senate bills Nos. 106, 163 and 198.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate bills Nos. 106, 163 and 198, and soon thereafter stated that he had signed the same.

Unanimous consent being given, Senator Selling, chairman of the committee on commerce and navigation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1899. }

Mr. President:

Your committee on commerce and navigation, to whom was referred house bill No. 149, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

BEN SELLING,
Chairman.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 13, 1899.

Your committee on revision of laws, to whom was referred house bill No. 188, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

PERCY R. KELLY,
Chairman.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 13, 1899.

Your committee on revision of laws, to whom was referred house bill No. 329, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

PERCY R. KELLY,
Chairman.

On motion of Senator Fulton, house bill No. 131 was recommitted to the committee on judiciary.

Unanimous consent being given, Senator Proebstel, chairman of the committee on irrigation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 13, 1899.

Your committee on irrigation, to whom was referred house bill No. 1, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Strike out all after the enacting clause, and in lieu thereof, insert the following:

Section 1. That ——— be and they are hereby created and constituted a commission to be known as the Arid Land Commission, each of whom shall serve without pay. Each commissioner before entering upon the discharge of his duties, shall take, subscribe and file with the secretary of state, an oath to faithfully and honestly discharge the duties of his office. Should any commissioner fail to qualify within ninety days after this act shall be filed in the office of the secretary of state, or should a vacancy on the commission happen at any time, the governor is authorized by appointment, to fill such vacancy.

Section 2. For making the experiment herein contemplated, there is hereby appropriated out of the general fund, the sum of two thousand dollars, which sum shall be paid to said commission, to be employed and expended by said commission as herein provided.

Section 3. The sum of money herein appropriated shall be expended by said commission in sinking an artesian well or wells, in such county or counties as the commission shall think best; *provided*, that such county or counties, the residents of which shall contribute to the commission the largest sum of money to aid in sinking such well or wells, shall be preferred by the commission, but such well or wells only be sunk in arid land districts, it being the purpose of this act to provide experiments for the purpose of determining the practicability of reclaiming arid lands by means of artesian wells. The said commission is authorized and empowered to do everything necessary to make a perfect and practical experiment to the end aforesaid; *provided, however*, that the state shall in nowise be liable for any greater sum or amount than the specific amount herein appropriated, nor shall the state be liable for any expense whatever, incurred by the commission or any commissioner hereunder.

Section 4. The commission shall organize by electing one of their number chairman, and one secretary, and said commission shall report to the next regular session of the legislative assembly of this state, the result of the experiments herein provided for.

Section 5. It being important that the experiments herein provided for should be made at once, this act shall be in force from and after its approval by the governor.

AMENDMENT.

Amend the title of the act to read as follows:

"An act to provide for experimenting in reclamation of arid lands by means of artesian wells, and making an appropriation therefor."

GEO. W. PROEBSTEL,
Chairman.

On motion of Senator Proebstel, the amendments were adopted.

Senate bill No. 138 coming on for third reading, on motion of Senator Howe, further consideration of the bill was indefinitely postponed.

Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February —, 1899.

Your committee on fishing industries, to whom was referred house bill No. 210, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. REED,
Chairman.

Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1899. }

Mr. President:

Your committee on fishing industries, to whom was referred house bill No. 13, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. REED,
Chairman.

Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1899. }

Mr. President:

Your committee on fishing industries, to whom was referred house bill No. 200, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. REED,
Chairman.

Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1899. }

Mr. President:

Your committee on fishing industries, to whom was referred house bill No. 152, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. REED,
Chairman.

Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1899. }

Mr. President:

Your committee on fishing industries, to whom was referred house bill No. 110, beg leave to report that we have had the same under consideration,

and would respectfully report it back to the senate with the recommendation that it do pass.

A. W. REED,
Chairman.

Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 9, 1899.)

Your committee on fishing industries, to whom was referred house bill No. 110, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Amend section 1 by striking out the figures "\$25,000," and the words "per annum," in line 5, engrossed bill, and insert in lieu thereof the figures "\$15,000."

AMENDMENT.

Add the following section to the bill, to be designated as section 2:

Section 2. No part of said sum shall be used or expended for any purpose whatever, other than in building and equipping hatcheries, and two of such hatcheries shall be located on the Columbia river or tributaries thereof, and two on some other suitable rivers in Oregon. Vouchers shall be filed with the secretary of state for all expenditures, showing the purpose for which every sum of the amount herein appropriated has been expended.

AMENDMENT.

Change section 2 in the engrossed bill to section 3, so that the same shall be numbered section 3.

A. W. REED,
Chairman.

On motion of Senator Fulton, the amendments were adopted.

Senator Fulton moved that the rules be suspended and that house bill No. 210 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Cameron, Driver, Dufur, Fulton, Haines, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Proebstel, Reed, Wade and Mr. President—20.

Nays—Senators Bates, Clem, Daly of Lake, Harmon, Haseltine, Selling and Smith—7.

Absent—Senators Adams, Daly of Benton and Porter—3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Daly of Benton, Dufur, Fulton, Harmon, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Reed and Mr. President—17.

Nays—Senators Clem, Daly of Lake, Haines, Haseltine, Howe, Josephi, Mulkey, Proebstel, Selling, Smith and Wade—11.

Absent—Senators Adams and Driver—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Kuykendall moved that when the senate adjourn it adjourn to meet at 7:30 o'clock p. m. for the consideration of senate bill No. 3, as amended.

The motion prevailed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bills No. 214, 275, and house concurrent resolution No. 14.

And the same are herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bills Nos. 183, 232 and 231.

And the same are herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has

passed senate bills Nos. 177, 219 and 192.

And the same are herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 352, a bill for an act to incorporate the city of Enterprise, in Wallowa county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house bills Nos. 275 and 214, and house concurrent resolution No. 14, and soon thereafter stated that he had signed the same.

Unanimous consent being given, Senator Wade called up house bill No. 352.

Senator Wade moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Cameron, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—22.

Nays—None.

Absent—Senators Adams, Brownell, Clem, Daly of Benton, Driver, Michell, Morrow and Reed—8.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Wade moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Cameron, Daly of Lake, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mulkey, Patterson, Proebstel, Selling, Smith, Wade and Mr. President—20

Nays—None.

Absent—Senators Adams, Brownell, Clem, Daly of Benton, Driver, Harmon, Michell, Morrow, Porter and Reed—10.

So the rules were suspended and the bill was read second time by title only.

Senator Wade moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Daly of Lake, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—23.

Nays—None.

Absent—Senators Adams, Clem, Daly of Benton, Driver, Harmon, Looney and Reed—7.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kuykendall, Mackay, Michell, Morrow, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—23.

Nays—None.

Absent—Senators Adams, Clem, Driver, Harmon, Kelly, Looney and Porter—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Josephi, chairman of the committee on military affairs, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1899.)

Mr. President:

Your committee on military affairs, to whom was referred house bill No. 119, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

S. E. JOSEPHI,
Chairman.

Unanimous consent being given, Senator Josephi, chairman of the committee on military affairs, submitted the following report

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February —, 1899. }

Your committee on military affairs, to whom was referred house bill No. 139, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

S. E. JOSEPHI,
Chairman.

Unanimous consent being given, Senator Josephi, chairman of the committee on military affairs, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February —, 1899. }

Your committee on military affairs, to whom was referred house bill No. 140, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

S. E. JOSEPHI,
Chairman.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 13, 1899. }

Your committee on enrolled bills, to whom was referred senate bill No. 193, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

On motion of Senator Patterson, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

EVENING SESSION.

SENATE CHAMBER,
SALEM, Oregon,

February 13, 1899. }

The senate was called to order at 7:30 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senator Driver.

This being the hour set as a special order for the consideration of the amendments recommended by the committee on education on senate bill No. 3, the same was taken up for consideration.

On motion of Senator Kuykendall, the senate resolved itself into a committee of the whole to consider amendments to senate bill No. 3.

The president called Senator Michell to the chair.

After deliberation, the committee arose and Senator Michell, chairman of the committee of the whole, after the senate was called to order, reported progress and asked for further time.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 27.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bills Nos. 36, 53, 104, 175, 14 and 160.

And the same are herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bills Nos. 171, 82, 34, 86, 225, 228, 73 and 54.

And the same are herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 13, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bills Nos. 193 and 184.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 13, 1899. }

Mr. President:

I am directed by the speaker to inform you that senate bill No. 2, which is herewith returned by his instruction, came to his hands without any message accompanying the same.

And the same is herewith returned to you.

A. C. JENNINGS,
 Chief clerk.

The president announced that he was about to sign senate bills Nos. 193 and 184, and soon thereafter stated that he had signed the same.

Unanimous consent being given, Senator Patterson called up house bill No. 143.

Senator Patterson moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Clem, Daly of Benton, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—22.

Nays—Senators Daly of Lake and Selling—2.

Absent—Senators Adams, Cameron, Driver, Looney, Mackay and Morrow—6.

So the rules were suspended and the bill was read second time by title only and referred to the committee on fishing industries.

Senator Kuykendall moved that when the senate adjourn it adjourn to convene at 7:30 p. m. tomorrow, February 14, 1899.

The motion prevailed.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
 Chief clerk.

TUESDAY, FEBRUARY 14, 1899.

SENATE CHAMBER,
SALEM, Oregon,
February 14, 1899. }

Today being designated for the proper observation of the fortieth anniversary of the admission of Oregon to statehood, the members of the twentieth legislative assembly joined with the people in the proper observance of that event.

The fiftieth anniversary of the extension of United States laws over Oregon, as well as the fortieth anniversary of the admission of the state into the union, was celebrated in the hall of representatives, to which many pioneers and prominent citizens and the public had been invited.

Governor T. T. Geer presided, and following the opening orchestral selection delivered a few remarks touching the events celebrated today. He referred by way of illustration to the difference in the motives that actuated the pioneers of Oregon and those of California. He quoted from a speech in the national house of representatives by Dickinson, of New Jersey, delivered in 1825, in which the remoteness of Oregon was deemed conclusive that it could never become a state for the reason that senators and representatives from this far land would have only time enough in the year to make the round trip to Washington. The governor adorned his tale by pointing the moral that the opponents of national expansion in those days used about the same arguments as are used now.

The Salem Choral Society sang "Peerless Oregon," a meritorious composition of Clifford Kantner, son of the local Congregational pastor.

The following list of the participants in the Oregon constitutional convention who still live was announced by Governor Geer: E. D. Shattuck, L. F. Grover, George H. Williams and R. V. Short, of Multnomah county; R. P. Boise, of Salem; H. B. Nichols, of Lincoln; W. H. Packwood, of Baker City; P. P. Prim, of San Francisco; J. W. Watts, of Yamhill county; J. K. Kelly, of Washington, D. C.; John R. McBride, of Spokane; Jesse Cox, of Lane county. Judge Williams and Judge Boise were the only survivors of those who sat in the constitutional convention who were present at this celebration.

THE JUDICIARY OF OREGON.

BY GOV. WILLIAM P. LORD.

The compliment of an invitation to deliver an address, this the fortieth anniversary of our statehood, on the subject of our judiciary, is a distinction that I could not find it in my heart to decline, though its preparation would necessarily consume some time I could ill afford to spare, and put me to some personal inconvenience I should have preferred to avoid, and what is of more concern to me, it might put in peril the little reputation I hope to retain, to meet the expectations of this occasion, for I am vain enough to regard the part assigned to me as a high honor, worthy to employ the best talents, and as marked evidence of your distinguished favor and good will.

Before I can reach, in an orderly and satisfactory way, the subject which has been selected for me to discuss, it will require some preliminary observations on the character of the settlers of our state, the nature of the conditions which confronted them, and the necessity of establishing some form of government that should possess the usual powers of sovereignty for the protection of life and property and the maintenance of public order. The occasion which has called us together is the commemoration of the fortieth anniversary of the admission of our state into the union. It is an event of more than ordinary importance, and one in which we feel more than a passing interest. It marks a period when, looking backward, we can review the successive causes which have conduced to advance our state to its present prosperous condition and proud eminence, or, looking forward, we may see, as with prophetic vision on the canvas of time, the splendid future which awaits its growth and development.

Among the causes which I count as paramount, contributing to make our state great and prosperous as a free commonwealth, and enriching its history with heroic deeds and victories won for constitutional liberty, is the rugged virtue of our pioneer fathers—their unflagging energy, invincible will, indomitable courage, intelligent discretion and inveterate hatred of all forms of tyranny. No arrogant tyrant, like Louis XIV, could have sent them cowering before his royal displeasure, as he did his servile parliament, with the declaration "I am the state." With courageous hearts, they would have answered, with their rifles in their hands, "we are the state." They would have taught him, as all tyrants should be taught, who dispute man's inalienable right to life, liberty and the pursuit of happiness, that the people are sovereign and that all just powers of government are derived from them and founded upon their consent. History, indeed, furnishes no example of founders of states, or colonies, who braved greater dangers or overcome mightier obstacles, who endured more privations or worse hardships, who exhibited a higher devotion to duty or stronger love of liberty, than our pioneer fathers in their emigration to and settlement of and building up of Oregon. They had come hither not in search of gold, or the mere pursuit of wealth, with the expectation, when acquired, of returning to the seats of civilization to enjoy it, or, perhaps, to spend it in idle pleasures or degrading pursuits; but they had come to found homes, to convert the waste places into prosperous farms and the seats of thriving villages, to build schoolhouses and churches and prepare the way for the coming state. It is well to note that at this time the Oregon territory was without political autonomy, and by treaty subject to joint occupation of the United States and Great Britain. Population was sparse and settlements were widely scattered, and over the territory British interests largely predominated. There was no regular government entrusted with the attri-

butes of sovereign powers to secure private rights or maintain public order. In the nature of things disputes and disagreements would arise, liable, at times, to lead to violence, or even bloodshed, and from the necessity of the case there could be no security for individual liberty or the right of private property, unless some form of government could be established, having tribunals invested with authority to compel their peaceful settlement. Under these circumstances, and to conserve these ends, our pioneer fathers, with that strong love of liberty and justice which is the marked characteristic of the Anglo-Saxon race, established what is generally known as the provisional government of Oregon. Paradoxical as it may seem, the setting up of this government (the territory then being under joint occupancy) was a violation of treaty provisions and a usurpation of authority; and yet this government, without legal right, was so admirably constituted for dispensing justice, preserving social order and conserving the public good, that it commanded general respect and almost universal loyalty, thus assuring its stability at the start, to serve the public exigency for which it stood sponsor. The general acceptance of the government and acquiescence in its authority established the jurisdiction of its courts and clothed their ministerial officers with authority to enforce its judgments. Thus was inaugurated the judiciary of Oregon as a coördinate branch of the provisional government. In discharging the high duties confided to them, the judges acted with the deliberation and solemnity suited to the dignity of the judicial office and dispensed justice with promptness and impartiality. Wrongs were redressed, trespasses upon person or property were punished and restrained, titles were protected, contracts enforced and public order maintained.

In all states, and especially in all free governments, the judiciary have more to do with the everyday affairs of life, and approach more nearly to the business and domestic concerns of the people, than any other department of government. The courts are constantly brought in contact with every condition of life and its business and domestic relations. Their officers often perform the ceremony of marriage, and always render the decree for its dissolution; they settle the estates of decedents, and appoint guardians for wards; they inquire into the legal relations of parties and determine their rights and duties; they enforce every form of legal obligation, whether arising from breach of contract or tort; they exercise all those equitable powers for the prevention of fraud, the correction of mistakes, the marshaling of securities, the establishing of trusts and abating the rigor and harshness of the common law. It is doubtful whether the constitutions of the different states, or in fact of any state, furnish a better model for free governments than the declaration of principles constituting the charter of the provisional government of Oregon.

From the tutelage of that period Oregon passed to the territorial government organized under the act of congress, and so remained until it became a state. During this interval our judiciary presents an array of illustrious names that have added renown to our state, and gained celebrity for their owners. There is the learned and accomplished Pratt, fertile in expedients and ready with the pen; the irascible but profound Strong, endowed with a mind of great strength and extraordinary celerity; the intellectual, studious and dignified Deady, whose opinions evince much care in their preparation, great research and profound legal acumen; the capable and attractive Olney, whose feeble health greatly handicapped his usefulness; the wise and clear-sighted Boise, whose mental processes are quick, direct and logical; and last, but not least, the able, talented and eloquent Williams, whose distinguished career on the bench of the territory and in the senate of the United States, as a member of the high joint commission for the settlement of the Alabama claims, and as attorney-general of the United States, bear testimony to his judicial abilities and his wise statesmanship, to his diplomatic talents and his comprehensive knowledge of legal principles and their practical application to the affairs of men.

It was fortunate for the territory to have such able and upright judges to preside in their courts and vindicate the majesty of violated law by the

justice of their judgments, whether in condemnation of public wrongs, or in defense of private rights, for the effect of right judicial action is to tranquilize society and induce orderly conditions, always so essential to human improvement, real progress and material prosperity, thereby inculcating the virtue of obedience and the benefits and advantages to be derived from a government regulated by law. No fact is better attested in the experience of mankind than that a properly constituted judiciary, faithfully and impartially discharging their sacred trust, have contributed more to the stability of government and the happiness and welfare of their peoples than all other departments. And, what is more to the same purpose, the judiciary—to their credit, be it said—have committed fewer encroachments on the rights and liberties of the people than either of the other branches of government. Judicial duty, well and rightly performed, is not only charged with manifold blessings to the community, but its tendency is to inculcate in the mind of the judge the virtue of deliberation and firmness of independence of character and loyalty to constitutional principles. A good judge is always a brave man and a patriot, loyal to duty and steadfast of character. He is compelled by the nature of his duties to deal with society individually as well as collectively. The judgments and processes of his office affect every phase of human activity and include within their scope the suppression of vice and the punishment of crime, the checking of fraud and upholding fair dealing, the protection of industry and security to labor of its just rewards, the defense of the social organization from the encroachments of arbitrary power, and the maintenance of constitutional franchises.

It was natural as well as reasonable to suppose that the Oregon territory, with its vast resources and natural advantages, under a government whose justice was administered by capable and wise judges, would already bear evidence of social progress, private enterprise and public spirit. Such was the fact. The country steadily grew in population and wealth, farms increased in number and in the value of their products, occupations became more numerous and various, the professions offered greater inducements to ambition and preferment, and business was stimulated to greater activity and offered profitable investment to capital. Roads were constructed, schoolhouses built and churches erected and thriving towns and villages began to dot the land. Life and activity, business, energy and thrift were everywhere manifest.

The nucleus of a state was rapidly forming, and the wise men of the land saw in the signs of the times the star of Oregon rising in the firmament of our union. The transition of the territory into a state measured a little over a decade. A convention was called, and delegates elected to draft constitution. It was composed of sixty members, one-fourth of whom belonged to the profession of law, and the other three-fourths to various other occupations. No body of men could be selected better qualified to perform the duty which devolved upon them. There were among them men of talent, learning and experience, men of great individuality of character and strong common sense—men of highest courage and profound convictions of duty; in short, a body of men of that diversity of intellectual capacity and practical experience which peculiarly fitted them to deal with the conditions that confronted them, and frame a constitution embodying those great constitutional principles which establish justice, insure domestic tranquility and secure the blessings of liberty. The constitution drafted distributed the powers of sovereignty between the executive, legislative and judicial departments. In the spheres of their jurisdiction, each department is independent of the other, though combined, they constitute the government. For administering the judiciary department, courts of original and appellate jurisdiction were provided, and also such inferior courts as might be needed. Like many other states, the constitution provided that the judges should be elected by popular vote, and limited the term of their office to a short period of years. There has always been considerable discussion as to the relative merits of the elective and appointive systems, to secure able and learned jurists, free from prejudice and partisan feeling. Jefferson held that the elective system

accords with the doctrine of representative government, and that our national constitution, in making the federal judiciary appointive and their terms for life, was anti-republican. The argument for the elective system is that a republic is founded on the will of the people, who are the source of all power, and that no institution should be allowed to exist independently of their authority; that the offices belong to them, with the consequent right of their bestowal, and that the denial of their ability to select proper judges impeaches their judgment and reflects on their capacity for self-government; that appointive judges, with life terms, would create a privileged class, independent of the will of the people; that the direct responsibility of elective judges to the people is the best guaranty for probity and impartiality, and conduces to a just and pure administration of the law, and that the shortness of their terms will lessen the risk of corruption, or of incompetent judges becoming saddled on the public. On the other hand, it is urged that the appointive system is not a departure from the republican principle that elections should be by the people—that this principle only applies to those offices for which no previous professional training or peculiar qualifications are essential for the discharge of its duties; that the law is an abstruse and difficult science to master, requiring years of study to grasp and apply its principles; that new and intricate questions are continually arising, demanding the soundest judgment and highest professional training to apply the authorities and determine the right of the case; that the bar must necessarily supply the candidates for positions on the bench, and that one man is a better judge of their qualifications and fitness than the whole community, and especially he whom the confidence of the people has elevated to the head of the executive department of government. Between these contending opinions, which fifty years ago entered largely into discussions respecting representative government, the framers of our constitution considered it more in harmony with the principles of a free commonwealth, and better calculated to conduce to a just administration of the law, to make the judicial office elective and its term short. So far as concerns our judiciary, no particular object can now be served by discussion of the relative merits of the two systems for securing able and upright jurists, as our experience with the elective system has so well satisfied our people of its excellence that it is not likely to be abandoned. There are, however, some dangers to which the elective system is liable to be exposed, and some precautions for its security necessary to be observed, whose consideration deserves more than passing notice. We all appreciate the necessity of guarding the judiciary against the evils resulting from ignorance and party prejudice. Lawyers will understand that there is no sure foundation for social order and improvement, or security for legal rights and the general progress of mankind, unless the judiciary is learned in the law, of high intelligence and lofty ideals, free from partisan prejudice and rancor, and thoroughly courageous and independent in the performance of their duties. They know that the chief end of government is the dispensation of justice, and that its obstruction from any cause is an evil of such stupendous magnitude, that no country can be prosperous, or its people contented and progressive, where its administration is uncertain and insecure.

All this being true, how important then is the obligation devolving upon lawyers to instruct the people concerning the duties of the judicial function, its relation to the public good and importance to the public welfare, and the absolute necessity of keeping it out of the filth and mire of party politics. The people always desire to do what is right and best, and their mistakes and errors are usually the result of ignorance or bad advice. They are quick to perceive merit or personal worth, and love to reward well doing. They generally have some acquaintance with the lawyers in their communities and their standing in the profession, and only need to have meritorious characters suggested to be willing and glad to advance them to judicial positions. In every community there are members of the legal profession connected with the political parties, who are well qualified by their learning

and abilities to fill judicial positions honorably and acceptably. These men are not apt to be what is known as "good political workers," for the reason that their habits of industry and absorption in legal studies occupy their time and tend to disqualify them for political work. It is true that they do not wholly ignore politics, but they do not make politics their business. Like men of studious habits, they generally have clear and well-defined opinions on political topics, understand issues and their bearing upon the public interests, and may be inclined to discuss their views in private or occasionally before public audiences, but they are not, so to speak, "in the political swim," and unless their virtues are discovered by a discerning public, they are apt to be neglected by the political "boss" when judges are to be selected. This is the fitting occasion for lawyers to bring into review before the public mind the qualifications and fitness of their eminent members of the profession for advancement to judicial honors by nominating conventions. The people, already having some knowledge of their character and appreciation of the need of a pure and good administration of the law, will quickly discern their merits and fitness, and respond to their duty in the premises.

It cannot be impressed too strongly on the public mind that a man who has only sufficient legal veneering to pose as a lawyer, and whose only claim for judicial honors is for services rendered as a political striker, is entitled to no consideration whatever. Judicial honors should not be conferred as the reward of political service. Judicial decisions should not be the award of party spoils. The man who seeks judicial preferment at the price of subserviency to party uses, or who is willing to shape his decisions to serve party interests, is a more dangerous and deadly enemy to his country than an armed foe. The portals of the temple of justice must be closed and barred against those ministers of justice who derive their title from the political "boss"; its halls must be saved from the pollution of their presence; its seats of justice must not be profaned by false judgments and perversion of the law. The selection of our judiciary must be vigilantly guarded against the allurements of political bribes, and their independence defended against the assaults of the political "boss." We may concede to the "boss" the whole domain of government, outside of the department of justice, in which to effect his combinations to serve party interests and ends, and to work his scheme of spoils for the bestowal of special favors, but he must keep his hands off our judiciary, for, as Mr. Bourke Cockran said, the people will proclaim to him "our judiciary is our own, our bench is the very sanctuary of our liberties, our lives, our property, our honor; its independence must remain forever sacred; and, drawing around our courts the circle of their indignant protests, they will ordain with a voice as irresistible as that with which the omnipotent God controls the tides of the sea: 'Thus far shalt thou go, and no further.'"

These suggestions are intended to indicate some of the dangers to which our elective judiciary is exposed and the means to be employed to avert them. Fortunately for us, our people have generally exercised wise discretion in the selection of their judges, and secured officials whose character and learning have been pledged for a pure and just administration of the law. A healthy public sentiment has usually prevailed in the selection of our judges. Our politicians, some of whom are lawyers, appreciating the importance of an honest and independent judiciary, have been unwilling to make judicial places dependent upon political favor, and have kept the judicial office out of the mud and mire of politics. The bar has constantly demanded the best talent and character for judicial positions, as absolutely essential to the security of legal rights and the stability of government. The people have come to understand the necessity of selecting able and upright jurists, and have lent their great influence to bring it about. The result is that we have reason to congratulate ourselves on the character, ability and standing of our judiciary, whose labors are manifold and responsible, and whose opinions indicate a sincere desire to arrive at the legal

truth and do justice according to law. The labors of the judges are not always appreciated. The preparation of judicial opinions is a difficult and responsible task. Its statements of fact should be compact and easily comprehended, its arrangements orderly and natural, its reasoning logical and cogent, its style perspicuous and dignified, and its authorities appropriate and well selected. There is no better evidence of a judicial thinker than an able and logical opinion cogently and briefly expressed. Long opinions are generally considered an evil, unless required for clear exposition and treatment of numerous points involved. A long opinion for which there is no justification is a great bore, and apt to be devoid of arrangement, loose in logic and slovenly in style, full of long quotation without much perceptible application, and sometimes with marked indications that its writer but vaguely comprehended his subject. No opinion should shirk the points upon which it was decided by the court below, or seek to get rid of the case by a "squirrel opinion"—that is, by putting it upon grounds never taken by counsel, nor considered by the court below. Of course, the facts will be taken as they appear from the record, and not colored so as to make them conform to the judgment desired to be rendered.

In fact, the more we understand of the nature and duties of the judiciary, the stronger appear the reasons for the selection of men learned in the law, impartial in judgments and independent in character. The law is the reflex of our civilization and of our everyday life. It keeps pace with our scientific knowledge, our industrial progress and our intellectual achievements. Its changes and evolutions are signs of the "ups and downs" of humanity. Its practice, like medicine, often runs to specialties, leading to the highest cultivation in its branches, and the general improvement of the whole body of the law. The variety of subjects to which it is applied, and the vast domain it covers in the affairs of men, under our complex system of state and national jurisprudence, discloses the stupendous intellectual task which it imposes on the lawyer and judge. In every state and community the common law, except as modified by legislation or local circumstances, is in full operation and vigor, adapting itself to the social changes rapidly taking place, the growth in industrial activities, the advance in general enlightenment and the progress of the times; thus giving rise to a variety of new questions, often abstruse and complex and requiring the best brains of the bench and bar to solve on practical lines of justice. This so-called "judge-made law"—the joint product of able lawyers and wise judges—is the grandest monument of human wisdom. It fills the body of our legal system not pervaded with statute law, and in all ages the judicial application and expansion of its principles and maxims has afforded the best guaranty for legal rights and the best security for civil and religious liberty. If our future is to keep pace with the past in the activity of its achievements for humanity and civilization, it is absolutely indispensable that our judiciary should continue to be composed of able and impartial, fearless and incorruptible judges. An ignorant, honest judge, of strong character, spurred on by a mistaken sense of duty, or a vitiated public sentiment, though not so corrupt in mind as a venal or partial judge, may inflict greater wrong on the community by his perversion of the law, because in the latter case the false judgments will be few and exceptional, while in his case the wrongful judgments are liable to be frequent, and affect whole classes of persons and property.

But of all forms of judicial corruption, venality is the worst, the most sordid and degraded. Partiality, though not exhibiting so low and gross a disposition, is, nevertheless, one of the phases of judicial corruption. To our everlasting credit let it be said, no judge of our state has ever been suspected of venality, though there has been some suspicion of partiality, probably due to envy or uncharitableness of spirit. Partiality is that form of corruption which disqualifies the judge for deciding impartially between certain persons and their adversaries. But it seems to me prejudice in the judge is equally as mischievous as partiality, and more to be dreaded.

Prejudice insinuates itself unconsciously into the mind, and may be the result of false rumor or gossip, or mistaken public sentiment, or betrayed confidence; but from whatever cause it enters the mind of a judge, it unfits him for judicial duty. A decision which is the outcome of aversion to a litigant is just as bad as one which is the result of fondness or affection for him. One is based on prejudice and the other on partiality, and both are unjust and corrupt.

Fear is another mental disqualification not less injurious to just judgments than partiality and prejudice. *Animos degeneros timor argent.* Fear is the sign of a coward, and is a quality of mind fatal to independence of judgment. The judge whose judicial action is influenced by fear, adds official delinquency to his miserable cowardice. To be coerced by fear is not a whit better than to be influenced by partiality or prejudice. The post of duty should not be introduced to the craven-hearted. A judge who is intimidated from doing his duty by the outcries of the mob, or the censure of public opinion, or the unjust criticisms of the press, betrays his trust and fouls the fountain of justice. Our courts are the sanctuaries of our liberties; their judges are the guardians of our lives, our fortunes and our honor. They must have the courage of their convictions, and register their decrees unawed by the hand of power, uninfluenced by the voice of popular clamor, and unintimidated by threats of political vengeance. They must stand as immovable as a rock in the sea, amid the rush and roar of contending passions. "The judge who palters with justice," said Chief Justice Ryan, "who is swayed by fear, favor or affection, or by the hope of reward, or by personal influence or public opinion, prostitutes the attributes of God, and sells the favor of his maker as atrociously as Judas did." One more word and I have done. Our judiciary depends for its incumbents on the bar, and, in a general way, reflects its learning and ability, its character and standing. I know our judges fairly well, and, in my deliberate judgment, there is no body of men occupying the seats of justice more desirous of doing their duty and serving their state faithfully and impartially. Not one of them could be induced willfully to pervert the law, or declare to be law what he knows is not law. Not one of them could be induced, not for all the kingdoms of the earth, to palter with justice or soil its royal robes. In them we have faithful champions of our laws and liberties, and valiant defenders of the prestige of our country and its free institutions. Vested with great powers—greater than the highest tribunal exercises in any country of Europe—the power to annul a law when in conflict with the constitution, they exercise it with moderation and wisdom. True to their oath, and true to the liberty-loving spirit of a profession whose members in every age and nation have stood in the front rank of all the great contests for civil and religious liberty, they will stand as a wall of adamant in defense of the constitutional rights of the people against the encroachments of legislative power or executive usurpation.

We should encourage and strengthen our judiciary in the discharge of their arduous and responsible duties. We should lengthen their terms and make their salary commensurate with the dignity and importance of their office. We should do all in our power to make judicial positions attractive and desirable to the ablest and wisest members of the legal profession, so that our courts may continue ever to present "the image of the sanctity of a temple, where truth and justice seem to be enshrined, and to be personified in their decisions."

THE CONSTITUTION AND THE LEGISLATURE.

BY HON. L. B. COX.

In every stage of man's history on earth his conduct has been marked by its accord with certain recognized and established rules or practices, differing, it is true, with racial differences at any given period, changing with every degree of his development, progressing as he progressed, ever striving towards perfection and never reaching it, but in every age bearing such relation to his life as to be denominated "law." The savage has his law, the barbarian his, and civilization has its own.

It is the savage's law that what the strongest may seize by force is his; if he is struck, to strike back; if he suffers loss, to recoup himself by reprisal. His code is unsystematic, discordant and violent; in fact, with him each man is largely a law unto himself.

With the barbarian, law becomes a rule of action. It begins to manifest cohesive properties and to create organized communities; and yet we find that it is a bondservant to the dynasty, promulgated by it and administered in its interest. The weak, who most need its protection, may feel its heavy hand, but never its fostering care. Its office is to build up despotic power and to force the masses to bow down to it, to merge the lives of the subjects into that of their ruler, to silence opposition or protest with the headsman.

We progress a stage further and note the definition given by Blackstone that, "Municipal law is a rule of civil conduct, prescribed by the supreme power in a state, commanding what is right and prohibiting what is wrong." Here is the idea of protection and equality, the safeguard of person and of property. But here is also the patriarchal idea, the exercise of the solicitude of the superior for the welfare of the inferior, and the idea of the administration of the beneficence of law by compulsion.

Hooker gives us this sublime conception: "Of law there can be no less acknowledged, than that her Seat is the Bosom of God, her Voice the Harmony of the World: all things in Heaven and Earth do her homage, the very least as feeling her care, and the greatest as not exempt from her Power: both angels and men, and creatures of what condition soever, though each in different sort and manner, yet all with uniform consent, admiring her as the Mother of their Peace and Joy."

We linger upon these words with delight, and in admiration of his beautiful imagery we may well ask: "Has anything been left unsaid?" It may seem presumptuous to answer in the affirmative, and yet we find here only the same idea of submission to a mandate, of reverence for a superior thing which we view from afar. This in itself is eminently right, and no one could clothe the thought in more charming language, for the law is over all. But the law should also be equally of us, and in us, all. These definitions, even Hooker's, leave out of sight and calculation those rules of action which spring from the inner consciousness of right-minded men. Our conception of law should be, that, as it is indispensable to the welfare of society in which we are all vitally interested factors, it is a part and parcel of our lives and we of its integrity; that it has not its abode in some distant place, but is implanted in the breast of every citizen; that we honor, rather than fear it; that while we yield to its sovereign commands, it is a service of delight and not of compulsion.

We have, then, the double idea of law,—that of a superior power voicing its mandates to the individual, and that of ready acceptance, cordial support and active coöperation on the part of the individual. Perhaps the thought

cannot be better expressed than by saying that from the state to the citizen the law operates directly, while, as between citizens, it operates laterally: the state sends down its mandate upon the community, the good citizen distributes it by his influence among his fellow-men. In the first aspect, the constitution and the legislature, at least potentially, stand for all that there is of law; in the second, it is just what the sense of the community makes it.

In every age of the world its population has been divided into two classes—those who possessed power and those who demanded it. The latter class has ever been most numerous, and when contests have come, although often baffled and often defeated, it has pertinaciously and defiantly kept up the struggle, and in the end it has ever proved victorious. It is the undying story of the individual man when roused to consciousness of himself seeking to better his state, and of his unerring instinct that this betterment is dearer to him than to another, and, consequently, that it will be more effectually secured by his own effort than if entrusted to some other. The despised Plebeian thundered at the doors of the Roman senate until the proud Patrician had to concede to him equal rights as a fellow-citizen; and at Runnymede the barons, with the yeomanry at their backs, extorted from the crown the great charter of the liberties of Englishmen.

The present state of the law of our country, which is the subject for consideration, is the result of a process of evolution whose origin and development are easily traced. The Angles and Saxons had never felt the iron heel of Roman despotism, but had been accustomed to community government, in which the crude assemblages of the people, the folkmoot, convened for the consideration of matters affecting the common welfare. When these people invaded Britain, they brought and established their forms of local government, and from them grew the witenagemot, or great assembly of the wise men. With far-seeing wisdom, the conqueror, while extending the Norman idea of sovereignty over the land, left to the people these cherished institutions, and the result was a combination of monarchical and democratic principles, by no means perfect, but in advance of any other form of government then known in Europe. But in this combination there was for centuries marked strife between the crown and the people, who, in course of time, came to look upon parliament as their mouthpiece and champion. Magna Charta placed effectual restraint upon the arbitrary power exercised by the crown, and under the protectorate of Cromwell parliament entrenched itself in a position from which it was never afterwards driven. Indeed, parliament increased so in influence and power that Blackstone wrote of it in 1765, "It hath sovereign and uncontrollable authority."

The British constitution, as it stood then, and now stands, is unwritten. It consists of the whole body of British law, made up of common law, statutes and decisions of courts, and over it parliament stands supreme. In parliament are represented the three estates of the realm—the lords spiritual, the lords temporal and the commons—the first two of which compose the house of lords and the last the house of commons. Parliament may make or unmake laws, and with every enactment an amendment is engrafted upon the constitution. The contrast between the British constitution and our federal and state constitutions is this: Parliament is above the constitution, and when it passes an act the constitution must conform to the act, and not the act to the constitution; the constitution changes, while the act remains steadfast. With us congress is subordinate to the federal constitution, and our legislatures to both that instrument and the constitution of their respective states. When congress passes an act it must conform to the constitution of the United States, and when a state legislature passes an act it must conform both to the constitution of the United States and to that of the state. If it does not, the act falls to the ground and the constitution remains unaffected.

The state governments are older than the national government, and they possessed plenary authority before the national constitution was formed. The latter instrument, as is well known, is an embodiment of the surrender

of some specified part of, the power possessed by the states, while the states reserved all power not thus surrendered. Judge Cooley, in his work on Constitutional Limitations, states this distinction between the two governments, and lays down the following rules for testing the validity of statutes:--

"The government of the United States is one of *enumerated* powers; the governments of the states are possessed of all the general powers of legislation. When a law of Congress is assailed as void, we look in the national Constitution to see if the grant of specified powers is broad enough to embrace it; but when a State law is attacked on the same ground, it is presumably valid in any case, and this presumption is a conclusive one, unless in the Constitution of the United States or of the State we are able to discover that it is prohibited. We look in the Constitution of the United States for *grants* of legislative power, but in the constitution of the State to ascertain if any *limitations* have been imposed upon the complete power with which the legislative department of the State was vested in its creation. Congress can pass no laws but such as the Constitution authorizes, either expressly or by clear implication; while the State legislature has jurisdiction of all subjects on which its legislation is not prohibited."

The people of the several states are sovereign, except as limitations are laid upon their authority by the constitution of the United States. In their original and sovereign capacity they create and adopt their constitutions, as supplying the framework upon which the state governments are to be constructed. Every constitution embodies a free will surrender by the people of some part of their original power for the common good. It is a guaranty of stability and safety. In creating the departments of government the people agree that they will not exercise the functions committed to them otherwise than through their agency. Thus, the people cannot adopt laws by a popular vote, or in any other manner than through the legislative branch. A constitution, by its mandates to and inhibitions upon the departments of government, is designed to operate, and does operate, as a safeguard against the delinquencies and excesses of its agencies, but in a wider sense it is intended to protect the people against themselves. It is a compact made by the people with themselves, that while the constitution stands they will never sweep away in haste or passion what they have ordained in the hour of calm deliberation.

The scheme of government for the American colonies consisted of the royal charters, and under them governors, local legislative bodies, and courts of justice. When the colonies abjured their allegiance to Great Britain in 1776, they were accustomed to the organization and administration of the government and laws of the mother country at large and as applied to their immediate conditions, and the impress of the system is manifest in the plan of government adopted by the nascent states. While the framework of our state and national systems is unique in comparison with other forms of government, it is in a large degree imitative and not the creation of any divine spark of original genius. Guided by bitter experience in the past and with their future lying in the field of experiment, the people were unwilling to entrust the great fundamental principles of their governments to the hazards of unknown and perhaps uncontrollable vicissitudes, and so they embodied them in formal, written constitutions, changeable only at the dictation of the power which created them, that is to say, the voice of the people. But these constitutions had their exemplars in the royal charters. Indeed, the people of Connecticut in 1776 formally continued the charter of 1662 in force as their constitution, and it stood until 1818, while the charter of Rhode Island of 1663 stood by common consent as the constitution of the state until 1842.

The constitution of Oregon was framed by a convention of sixty delegates, chosen under an act of the territorial assembly, passed December 12, 1856, whose sessions were held in a frame building which is still standing in this city and is now used as a livery barn—"sad relic of departed worth!" The convention assembled on August 17, and adjourned on September 18, 1857.

The constitution was submitted to a vote of the people of the state at an election held on November 9, 1857, and was carried by a vote of seven thousand one hundred and ninety-five in the affirmative, against three thousand one hundred and ninety-five in the negative. This action was all in advance of any on the part of congress, but an enabling act was approved forty years ago this day, and Oregon was admitted to the sisterhood of states. I refrain from giving any review of the personnel of the constitutional convention, as by the programme of the day that task naturally falls to the part of one far more able to do it justice, but I will say of their labors that every line of the instrument bears witness of the single-hearted sincerity of the delegates in their discharge of a high public duty, and their work will stand as an imperishable monument to their wisdom. It is to be admitted that in many respects the constitution is not adequate for the present needs of the state: but which one of these men who had driven an ox team across two thousand miles of hostile and, in great measure, barren country dreamed that he would live to see his trail covered by the locomotive and the telegraph? Our constitution has, in the main, served its purpose well, and we should not let it go until we have a safe assurance that we will get a better one in its stead.

It is provided in the constitution that amendments may be proposed in the legislative assembly, and, if approved, they shall be submitted to the next succeeding assembly. If its action accords with that of the first, then the amendments are to be submitted to a popular vote. It will thus in regular order take more than two years to impose an amendment upon the constitution, which is in itself a guaranty against inconsiderate action, and none have ever been made. But it seems only reasonable to conclude that the framers of the constitution had other precautions in mind, which perhaps are not ordinarily taken into account by either the legislature or the people.

The legislature is the law-making body representing the people; through it alone can deliberative counsel be given to such measures; and its consideration of proposed amendments is designed to take the place of that of a convention. As the act is a more solemn and important one than the passage of statutes, it should receive even deeper and more earnest attention, and no legislator should vote for the submission of an amendment unless its merit appeals to his own judgment. On the other hand, as legislators are required to vote openly and be recorded upon such measures and then go to their constituencies for a new election, it seems manifest that it must have been the expectation of the framers of the constitution that these proposed amendments would be the subject of popular interest, and that the sentiment of the people would be given expression in the intervening election. In this way the calm, deliberate and steadfast popular sense would be obtained, both through the accredited representatives of the people and by their own direct voice. Legislatures are assembled to exercise their judgment in a substantive way, and this is one of the high duties laid upon them by the constitution. The disposition which is sometimes met with to submit a question to a popular vote simply because some people or set of people desire to test public sentiment on the proposition involved can hardly be reconciled with the duty a legislator owes the state. And so, if legislatures submit amendments in a perfunctory manner, and the people refrain from giving serious consideration to them until the election at which they come up for adoption, excitement may not be aroused until the last moment, hasty or passionate action may result, and the whole spirit of the constitutional safeguards may be destroyed.

As paradoxical as it may seem, it would require at least less time, if not less formality, to wipe out our entire constitution and substitute another for it, than it would to change its most unimportant provision. The constitution provides no means for its own extinguishment, but the first article of the bill of rights is a warrant for the exercise of popular action, wherein it is declared that, "all power is inherent in the people, and all free govern-

ments are founded on their authority and instituted for their peace, safety and happiness; and they have at all times a right to alter, reform or abolish the government in such manner as they may think proper." It is almost universally conceded that it is one of the inherent powers of a legislative assembly to summon the representatives of the people to a constitutional convention, and to provide a scheme for its organization, the conduct of its deliberations and the submission of its work for popular approval.

It would be possible in this state to abolish our present constitution and to submit an entirely different one for it in two months' time. This stands as a perpetual menace to the stability of our institutions, but the danger is more nominal than real, for the good sense of the people of our country has usually been equal to any emergency which has confronted them, and, I believe, the California constitution of 1875 is the only one which has been framed and adopted in any of the states in times of peace under the influence of violent excitement.

In the schemes of government which were devised by the original thirteen states, we recognize the influence of the British system. We had no lords temporal, and experience or wisdom dictated the policy of a divorcement of the affairs of church and state; but two distinctive features of the old regime were retained. Two houses were established in the legislative assemblies by all the states, except Pennsylvania and Georgia, to act as a safeguard against hasty and ill-considered legislation; and the legislative branch of government was given great latitude of action, a fact probably due to the unrestricted power of parliament to which the people of the colonies had been so long accustomed. While theoretically the three branches of our state governments are coördinate, actually the legislative branch is the most powerful, and this was so in the early days of the republic in a far more marked degree than now prevails. Madison said in the Philadelphia convention of 1787: "Experience proves a tendency in our governments to throw all power into the legislative vortex. The executives of the states are little more than ciphers: the legislatures are omnipotent." But since that time the growing tendency has been to limit legislative power. For instance, in the first constitution of Virginia, with the exception of certain fundamental principles laid down in the bill of rights and which acted as limitations on legislative authority, the only restriction imposed upon the legislature was that all measures should originate in the lower house and that the senate could not amend "money bills." But with each of the four succeeding constitutions of that state the legislature has been more and more circumscribed in its power: and this has been the history of all the states.

The modern idea of constitution-making is, instead of designing a skeleton frame of government embodying only fundamental principles, to fill the instrument with provisions intended to supplant, or to mold and direct, legislation. This is in a measure justified by the increasing and expanding interests of the public, but in large degree it has been due to popular distrust of our legislatures. This tendency has had its reflex consequences. Legislatures have not felt that they possessed the same measure of confidence that was originally accorded them, and, falling in with the spirit of the times, their work has deteriorated in quality. From one cause or another it has come to pass, unfortunately often with too much reason, that many persons look upon the assembling of a state legislature as an occasion of grave apprehension of public injury. Indeed, such a close and profound student of our institutions as Mr. Brice has gone so far as to declare, speaking of legislatures, that, "the time might almost seem to have come for prescribing that, like congress, they should be entitled to legislate on certain enumerated subjects only, and be always required to establish affirmatively their competence to deal with any given topic."

But with regard to the power of the legislature as it now exists, it may be said that it is supreme and uncontrollable, so long as it does not infringe upon the provisions of our national and state constitutions. It is not my purpose to enter at length upon the established and salutary right to pass on

the constitutionality of legislative enactments which is exercised by the courts, and yet the language of Judge Paterson in the first reported case in which this power was claimed and exercised (*Vanhorne's Lessee v. Dorrance*, 2 Dall., 304) is so instructive in this connection that it ought not to be omitted. He says:—

“What is a constitution? It is the form of government, delineated by the mighty hand of the people, in which certain first principles of fundamental laws are established. The constitution is certain and fixed; it contains the permanent will of the people, and is the supreme law of the land; it is paramount to the power of the legislature, and can be revoked or altered only by the authority that made it. The life-giving principle and the death-doing stroke must proceed from the same hand. What are legislatures? Creatures of the constitution; they owe their existence to the constitution: they derive their powers from the constitution: it is their commission: and therefore, all their acts must be conformable to it, or else they will be void. The constitution is the work or will of the people themselves, in their original, sovereign and unlimited capacity. Law is the work or will of the legislature, in their derivative and subordinate capacity. The one is the work of the creator, and the other of the creature. The constitution fixes limits to the exercise of legislative authority, and prescribes the orbit within which it must move. In short, gentlemen, the constitution is the sun of the political system, around which all legislative, executive and judicial bodies must revolve. Whatever may be the case in other countries, yet, in this, there can be no doubt, that every act of the legislature, repugnant to the constitution, is absolutely void.”

Because of the right exercised by the courts to declare enactments void for nonconformity with the constitution, it is to be feared there has arisen with legislators a lax sense of their own responsibility in this behalf. It is true that the courts, composed of trained lawyers and having resources to aid them not at the command of legislatures, whose members are drawn from various walks of life, are better qualified to pass judgment on the constitutionality of a statute; but this does not absolve legislators from their duty. The maxim that every law must be brought to the test of the constitution is as binding on legislators as on judges. Each takes the same oath to support the constitution of the United States and of his state, and the legislator has no right to absolve his conscience from this oath, to relieve himself of equal responsibility, and to throw upon the courts the determination of a question which it is his duty to determine for himself. The legislator is recreant to his trust who treats with indifference the question of the constitutionality of any measure upon which he is called to act; and if he gives his vote in favor of a measure which he knows or believes to be unconstitutional, he is false to his oath of office. He is bound by every consideration of his obligation to the public and to himself to exercise the best judgment he can bring to bear upon the question before him, and if he then entertains an honest doubt as to its constitutionality, it is his duty to keep on the safe side and cast a negative vote.

Indeed, the responsibility of determining questions of this character is more binding on the legislator than it is upon the judge. There are constitutional mandates requiring action by the legislature. If they are not complied with the constitution is violated, but the courts cannot reach the case at all. There are provisions of other kinds in regard to which the courts will rarely undertake to review legislative action or discretion. Thus, the legislature may empower the taking of private property for public use, and if in any given act it defines a certain use to be public, whatever judges might think of the question as an original proposition, they will refrain from reviewing this legislative determination, except in cases of clear and flagrant abuse. It may, in fact, be laid down as a rule of universal application that deference is always given by the courts to the judgment of the legislature upon the constitutionality of questions as manifested in its enactments, and it is a canon of construction that when the legislature has determined

an act to be constitutional the courts will follow its decision, unless the incompatibility between the act and the constitution is clear. There are repeated instances in this state of legislative encroachments upon the constitution which the courts have refused to disturb on just this ground, and with a greater degree of hesitation than I think has always been commendable.

No legislative assembly has the power to perpetuate its own laws or to restrict the action of a succeeding assembly in regard thereto, except that when a law is passed which holds out an inducement to other parties to act upon it, and they do take such action that a repeal of the law would operate prejudicially to their interests, the first enactment may be construed to amount to a contract between the state and these parties. In that event, the passage of a repealing act would be obnoxious to section 10 of article I of the federal constitution, which inhibits the states from passing any law impairing the obligation of contracts. Thus, in the beet sugar bounty bill before the present session of our legislature, if an invitation had thereby been held out for the establishment of sugar refineries, and the invitation had been accepted and a refinery established upon the faith of the promised bounty, the act would be construed to have created a contract between the state and the proprietors of the refinery, and could not be repealed. Except in some such case as this, there are no restrictions which one legislature may impose upon another. Each assembly has coördinate authority with every other, and each has inherent power to change the laws in force when it comes into existence.

An observant student of political science has condemned the idea that we should strive to get only our best men into public positions, and has asserted that our aim should rather be to get our average men. It is the average man who stands for the community of which he is a member, and, consequently, when the average man is chosen there is chosen the representative man, and his judgment and action are apt to be more consonant with the needs of his constituency than will be those of one whose ideas soar too high or fall too low. I am not sure but that there is profound wisdom in this philosophy. Applying it to the case of a legislative assembly, it would seem that the ideal body is one which represents the average tone of the state, and if it is not at least up to this standard it is because the people of the state do not care to have it so. At all events, making due allowance for imperfections of men which are not apparent until the test has been applied, it may be said that our legislators are just as good as the communities which elect them. Bad men are found in every community, and bad men may be expected in every large body representing the community, but I know that in every legislature there are many earnest, conscientious and unselfish men who are inspired by the noble impulse of rendering good service to the state to the utmost limit of their ability and understanding, and I am not at all in sympathy with the spirit of universal and indiscriminating condemnation which makes a reproach of the office, chills rather than stimulates honest effort, and drives good men away from the public service instead of attracting them to it. If unfaithful servants get into our legislatures they should be singled out and pilloried before the public, and the odium of evil legislation for which they are responsible should be fastened directly upon them, and not charged in the same measure upon those who may have put forth their best efforts in opposing what was done.

Every body of men is apt to be carried away at times by political excitement or by partisan support of measures designed to serve political ends, and in matters of every kind men collectively are apt to do things which they would not do as individuals. From these causes results much of the discredit which attends the sessions of our legislative assemblies, and when the excitement or impulse of the hour has passed the participants themselves often sincerely regret their action. But if I may be allowed to point out the peculiar direction in which the efforts of legislators fall short of the expectations, or perhaps rather "hopes," of their constituencies, and I speak in a measure from personal experience, I will say I think the chief trouble arises

from the plethora of bills which deluge every assembly. This signifies a good impulse, but it is unfortunate in its results.

It is the office of legislatures to improve upon the laws, and each legislator, when he repairs to his post, feels that he comes clothed with a high commission to accomplish this end. Each brings a budget of measures which in his judgment are calculated to cover weak spots in the existing laws. In the main these measures embody some good, or, at least, the intention behind them is good; but there is wisdom in counsel, and oftentimes the member introducing a bill will confess its inutility when subjected to the test of a general discussion. Many other measures which do not appeal to the judgment of the legislator are introduced at the request of outside parties. They all go in; they all command consideration; and the result is that, in a short session like that of this state, it is a matter of sheer physical impossibility for any living man to know what is contained in all the bills upon which he is required to act. Towards the end of the session, when the congestion becomes acute and measures are forced through without debate, the unscrupulous schemer finds his opportunity and avails himself of it to the fullest extent. This is the chief secret of vicious and, likewise, of hasty and ill-considered legislation, and to this more than to anything else are due the results which have brought our legislatures into disrepute.

No better illustration of what is here said could be suggested than that afforded by the conditions immediately confronting us. The sitting legislature will have not more than thirty working days for the consideration of measures before it. There have now been introduced in the senate two hundred and thirty-five bills and in the house three hundred and eighty bills. There remain of the session four working days, and in that time there will be nearly three hundred bills demanding consideration. It seems as if some scheme ought to be devised to lessen this disparity between the amount of work to be performed and the opportunities given for its proper performance.

One of the greatest temptations which confront our legislatures and one of the chief sources of dissatisfaction which arise, over their work lie in what may be denominated sympathetic and expediency legislation. The first usually finds expression in relief bills, ordinarily directed at the public treasury, and the second may be embodied in any form of bill which the ingenuity of man can frame. Both classes of measures are inimical to the good order of society. Thoughtful persons will all agree that if the law should be administered by our courts upon the hardships of each case brought before them, order would give place to chaos, and the determination of controversies would ultimately degenerate into the ascertainment of the question as to which of two litigants was most necessitous, regardless of the merits of his claim. It is a canon of jurisprudence that every person who comes into court must bring his case within some fixed principle of universal application, or it will not be entertained. It is just as true of the enactment of laws as it is of their administration, and no law of this character should be passed unless it can be brought within some general principle which appeals to the favorable consideration of the legislature. For illustration, some community asks an appropriation to build a bridge or a highway, on the score that the community is desirous of securing such object, but is unable to afford it. The petition ought to be denied, unless it is to be the general policy of the state to build such bridges or highways in all communities. And so with very many measures for personal relief. Cases may, of course, arise in which the interests of the whole state will be promoted by some act of a special character, and they will properly form exceptions to the rule, but that such is their nature should be the subject of very careful inquiry.

The pressure brought to bear upon legislators for the attainment of local advantages has had a marked evil tendency, for which the people themselves are largely responsible. Men lose sight of the fact that the legislature is a state body, whose actions should be as broad as the confines of the

state, but regard it as an assemblage of local representatives, the primary duty of each of whom is to look out for the interests of the county he happens to represent, and in large degree the ability of a candidate to "get the most" for his immediate constituency is made a test of his fitness for the office. The importunities thus forced upon a representative impress upon him the idea that he is the peculiar champion of his district, rather than a state officer, and incline him to adopt a course which will be grateful to those whose votes have elected him and upon whom he will have to depend for reelection. Taking this view of the demands of his locality and casting about for means whereby to attain his ends, he easily becomes involved in the practice popularly denominated "log-rolling," which, when it embodies only a mutual aid compact without regard to the merits of the questions involved, is in every sense of the word without principle and pernicious. If legislators would appreciate and always remember that their first duty is to the state, and that if a clash arises between this duty and that which they owe to their immediate constituencies, the latter should yield, there would result a higher order of legislation and our assemblies would be purged of much which now brings to them only shame and disgrace.

Of expediency legislation it may be said that the prime essential of laws is fixedness and stability. Changing and short-lived conditions may arise for which concurrent application of law must be made, but where conditions do not fluctuate it serves no good end to apply to them fluctuating laws. The passage of laws to meet some popular whim, or to compass some temporary end, is almost invariably attended with mischief.

Among the troubles from which the people of our country at large suffer, although it is a source of no inconsiderable sustenance to us lawyers, there stands out prominently the lack of uniformity between the laws of the different states. All such matters as wills, inheritances, domestic relations, the transfer of real property, the organization and control of corporations, and innumerable others, depend upon the laws of the various states, and a lawyer with a business extending into many states has to make of himself an encyclopædia of inconsistent laws, difficult often for him to harmonize, and beyond the ken of the layman to understand. There is no sense in this condition of affairs and it ought not to be allowed to continue.

Courts and lawyers stand appalled at the colossal monument of law books which is constantly being reared, and ask in dismay what the end is to be. Much of the work now entailed upon both bench and bar is devoted to the attempt to reconcile by argument conflicting provisions of law, or to establish an identity of signification where there is lacking an identity of language. This work would be greatly simplified, and the burdensome array of printed books would be much curtailed, if our legislatures would get together on common ground of statutory enactments. The uniformity act in regard to negotiable instruments passed at the present session of this legislature is a long step in the right direction, and it is to be greatly hoped that future assemblies will follow this good precedent.

In line with these observations, and of no less practical importance to the people of our state, is the lack of uniformity and harmony in the different provisions of our own laws, due to fragmentary legislation. We have hardly a comprehensive exposition of any subject of statutory treatment that is not patched over with amendments. These have not been made by any single student of the system, but in a wholly haphazard way, some at one time and some at another, one person applying a touch here and another there, until all semblance of original symmetry may be destroyed. And when a well devised law has been introduced into the legislature it is quite as likely as otherwise that it will be amended by some member or some committee not having the idea of the original draftsman, and thus an incongruity will be fastened upon it. Legislators and legislative committees in acting upon statutes which profess directly, or have the effect by implication, to change existing laws should carefully consider what bearing the

proposed law will have upon the whole body of enactments touching the subject matter.

In what has been said reflecting unfavorably upon the action of legislators I have not designed any personal application, and I trust that my remarks may be accepted in an entirely general sense,—as addressed to legislatures at large, and not to Oregon legislatures alone. I have not assumed to read a homily to the present session, or to sit in judgment upon the actions of its members collectively or individually; but I have simply not allowed the coincidence of time between the day of this celebration and the sitting of the assembly now in office to alter the tone of my address from what it would have been if delivered upon some other occasion. I will only say in conclusion to the legislators here present, all of whom I trust I may call my friends, that the office of law-maker is now, as it has ever been, one of the highest functions in which the citizen can serve his state, and it is one whose duties should be most sacredly guarded. The vigilant, intelligent and honest legislator is a pillar of the governmental temple; while one who is slothful, inefficient and dishonest is a miner and sapper of its foundations. Peculiarly in the hands of our legislatures is the destiny of the people of our country, and by their action will this destiny be shaped. Whatever may betide us of weal or woe, let it never be forgotten that the ægis and panoply of the liberties of this land are to be found in our constitutions and the laws passed in pursuance thereof.

HISTORICAL REVIEW

BY JUDGE GEORGE H. WILLIAMS

On the fourteenth day of February, 1859, Oregon was admitted as a state into the federal union. To aid in the commemoration of that event I have been requested at this time and place to read a paper concerning the political affairs of Oregon from 1853, inclusive, to 1865, "all of which I saw and a part of which I was." Time has effaced from my memory many of the interesting incidents of those early days, and all I can hope to do is to state some facts of our early political history not easily accessible, and make a brief record of the names and some of the doings of the men most prominent in that history, which may revive the recollections of the old and be useful to those who have come upon the active stage of life since the above named period.

Franklin Pierce was inaugurated president of the United States March 4, 1853, and his cabinet was made up as follows: William L. Marcy, of New York, secretary of state; James Guthrie, of Kentucky, secretary of the treasury; Jefferson Davis, of Mississippi, secretary of war; James C. Dobbins, of North Carolina, secretary of the navy; Robert McMillen, of Michigan, secretary of the interior; James Campbell, of Pennsylvania, postmaster-general; Caleb Cushing, of Massachusetts, attorney-general. I believe this cabinet combined as much ability as any cabinet that has existed in our country since the formation of the government.

Very soon after President Pierce was inaugurated he nominated Hon. O. C. Pratt for chief justice of Oregon, but on account of the opposition of Senator Stephen A. Douglas, his nomination was rejected by the senate. Prior to this, Judge Pratt had been an associate justice of the supreme court of Oregon, and had become involved in a bitter controversy with Chief Justice Nelson and Judge William Strong on the question as to whether Oregon City or Salem was the seat of government for the territory. This, however, had nothing to do with his rejection by the senate. That was due,

as it was understood, to some personal difficulty between the senator and Judge Pratt. President Pierce early in his administration appointed Gen. Joseph Lane governor and George L. Curry secretary of the territory, and they entered upon their official duties as such in May, 1853. Immediately after the senate refused to confirm the nomination of Judge Pratt, without my knowledge or consent, I was nominated for chief justice of Oregon upon the recommendation of Senator Douglas, of Illinois, and Senators Dodge and Jones, of Iowa, all of whom were my personal and political friends. I was then a resident of Iowa, and had canvassed the state as a presidential elector-at-large for Franklin Pierce. I arrived in Oregon with my commission as chief justice in June, 1853. Judges Matthew P. Deady and Cyrus Olney, both of whom were residents of Oregon, were my associates, appointed before my arrival. The officials of the territorial government of Oregon in 1853 were as follows:—

Joseph Lane, governor; George L. Curry, secretary; George H. Williams, chief justice; Matthew P. Deady, associate justice; Cyrus Olney, associate justice; Joel Palmer, superintendent of Indian affairs; Benjamin F. Harding, United States attorney; James W. Nesmith, United States marshal; John Adair, collector of customs at Astoria; Addison C. Gibbs, collector of customs at Umpqua; A. L. Lovejoy, postal agent.

General Lane, within a few days after he assumed the duties of governor, resigned to become the democratic candidate for delegate in congress. George L. Curry then became the acting governor. General Lane was nominated on the eleventh day of April, 1853. The resolutions of the convention affirmed the platform adopted by the democratic national convention, held at Baltimore in June, 1852, favored a branch of the Pacific railroad from San Francisco to Puget sound, favored the annexation of the Sandwich islands, and approved the course of General Lane in congress, he having been the delegate from Oregon after the death of Mr. Thurston, which occurred in April, 1851. A. A. Skinner, who had been a judge under the provisional government, was requested in a letter addressed to him by a large number of the citizens of Jackson county to become a candidate for delegate in opposition to General Lane. He accepted the invitation by letter, in which he assumed to be the candidate of the people and claimed that the democratic party or the "Durham faction," as he called that party, misgoverned the territory, misrepresented the people in congress, and otherwise was a very bad party. General Lane, in his canvass, appealed to the democrats for support upon party grounds, and was not too modest in telling the people what he had done and what he could do for his constituents, if elected. Judge Skinner appealed to the people to ignore party considerations in his behalf, and amplified, as well as he could, the bad qualities of the "Durham faction," as indicated in his letter of acceptance. This designation of the democratic party as the Durham faction originated, as it is understood, in this way: Judge O. C. Pratt, who was a prominent member of the democratic party, purchased from John Durham, of Polk county, a band of Spanish cattle. Subsequently he sold this band, which he called "the Durham cattle," to a purchaser who supposed he was buying blooded stock, and paid the judge a correspondingly high price, and, of course, "was out and injured" in the trade. Thomas J. Dryer, then editor of The Oregonian and an ardent whig, availing himself of this circumstance, characterized the democrats of Oregon as "the Durham faction," and with tireless iteration hurled this epithet at them through the columns of his paper, and the appellation was generally accepted by the enemies of the democratic party. General Lane was elected, receiving four thousand five hundred and sixteen votes, to two thousand nine hundred and fifty-one for Judge Skinner. Some of the people voted according to their personal predilections, but the democrats generally supported General Lane and the whigs Judge Skinner.

The legislature of 1853 met at Salem, December 5. The council consisted of the following members: J. M. Fulkerson, of Polk and Tillamook; L. P. Powers, of Clatsop; John Richardson, of Yamhill; Ralph Wilcox, of Wash-

ington: L. Scott, of Umpqua; James K. Kelly, of Clackamas; B. Simpson, of Marion. Ralph Wilcox was elected president, and Samuel B. Garrett chief clerk. House—L. F. Cartee, J. C. Carson, B. B. Jackson, of Clackamas; L. F. Grover, J. C. Peebles, E. F. Colby, of Marion; Luther Elkins, I. N. Smith, of Linn; Stephen Goff, H. G. Hadley, of Lane; L. S. Thompson, of Umpqua; John F. Miller, Chauncey Nye, G. H. Ambrose, of Jackson; J. F. Burnett, B. F. Chapman, of Benton; W. S. Gilliam, R. P. Boise, of Polk; Andrew Shuck, A. B. Westerfall, of Yamhill; O. Humason, of Wasco; A. A. Durham, Z. C. Bishop, Robert Thompson, of Washington; J. W. Moffit, of Clatsop. Z. C. Bishop was elected speaker, and John McCracken clerk.

John W. Davis, of Indiana, was appointed governor to succeed General Lane, and arrived in Oregon in December, 1853. He had been a representative in congress from Indiana and speaker of the house of representatives. He did not find his surroundings in Oregon congenial, and in August, 1854, resigned and returned to Indiana. George L. Curry again became acting governor, and in November, 1854, succeeded Mr. Davis as governor, and at the same time Benjamin F. Harding was appointed secretary and William H. Farrar district attorney.

According to the act establishing a territorial government for Oregon, which passed congress August 14, 1848, the territory was divided into three judicial districts, in each of which the district courts were to be held by one of the justices of the supreme court.

After my arrival, by mutual agreement between us, Judge Deady took the first district, consisting of the counties of Jackson, Douglas and Umpqua: Judge Olney took the third district, consisting of Clatsop, Washington (of which Multnomah was then a part), Clackamas and Columbia, and I took the second district, consisting of Marion, Linn, Lane, Benton, Polk and Yamhill counties. These three judges together constituted the supreme court of the territory. Prior to my appointment a colored man, who with his wife and children were held as slaves by Nathaniel Ford, of Polk county, sued out a writ of *habeas corpus*, claiming that he and his family were entitled to their freedom in Oregon. Whether or not slaveholders could carry their slaves into the territories and hold them there as property had become a burning question, and my predecessors in office, for reasons best known to themselves, had declined to hear the case. This was among the first cases I was called upon to decide. Mr. Ford contended that these colored people were his property in Missouri, from which he emigrated, and he had as much right to bring that kind of property into Oregon and hold it here as such as he had to bring his cattle or any other property here and hold it as such: but my opinion was, and I so held, that without some positive legislative enactment establishing slavery here, it did not and could not exist in Oregon, and I awarded to the colored people their freedom. Judge Boise was the attorney for the petitioners. So far as I know, this was the last effort made to hold slaves in Oregon by force of law. There were a great many virulent proslavery men in the territory, and this decision, of course, was very distasteful to them.

According to the organic act, the legislative assembly was divided into two bodies, one, corresponding to the state senate, was called the council, and the other, corresponding to the house of representatives, was called the house. The power of the legislative assembly extended to all rightful subjects of legislation not inconsistent with the constitution and laws of the United States, so that as to local matters the power of the territorial was more unlimited than that of the state legislature. June 3, 1854, an election was held for members of the legislative assembly, which met at Salem December 4, and consisted of the following persons: Council—Dr. Cleveland, of Jackson; James K. Kelly, of Clackamas; J. C. Peebles, of Marion; S. W. Phelps, of Linn; Dr. Greer, of Washington and Columbia; J. M. Fulkerson, of Polk and Tillamook; John Richardson, of Yamhill; Levi Scott, of Umpqua. James K. Kelly was elected president, and B. Genois chief clerk. House—G. W. Coffenbury, E. S. Turner and David Logan, Washington;

A. G. Henry and A. J. Hembree, Yamhill; H. N. V. Holmes, Polk and Tillamook; I. F. M. Butler, Polk; Wayman St. Clair and B. B. Hinton, Benton; L. F. Cartee, W. A. Starkweather and A. L. Lovejoy, Clackamas; C. P. Crandall, R. C. Geer and N. Ford, Marion; Luther Elkins, Delazon Smith and Hugh Brown, Linn; A. W. Patterson and Jacob Gillespie, Lane; James F. Gazley, Douglas; Patrick Dunn and Alex. McIntire, Jackson; O. Humason, Wasco.

In 1854 the "know-nothing," or, as it called itself, the American party, became a prominent factor in the politics of Oregon. It was a secret, oath-bound political organization. "Know-nothing" was a name applied to it because, as it was alleged, its members, when questioned as to such an organization, declared that they knew nothing about it. Democrats and whigs, and more especially the democrats, were alarmed at the inroads of this new and invisible enemy to the old political parties. So far as the principles of this party were known to the public, they proposed a repeal or modification of the naturalization laws; repeal of all laws allowing unnaturalized foreigners to vote, or to receive grants of public lands; resistance to what they called the aggressive policy and corrupting tendencies of the Roman Catholic church, and excluding from office all persons who directly or indirectly owed allegiance to any foreign power. Some time in the fall of 1854 the Oregon Statesman, then edited by Asahel Bush, published an exposure of the oaths, obligations and proceedings of the know-nothing lodge in Salem, together with the names of the leading members. This publication produced no little excitement. Several gentlemen who had been named as members of the lodge called upon Mr. Bush and declared they would hold him personally responsible if he did not give them the name of his informant. This threat Mr. Bush ignored, and refused to give the makers of it any satisfaction, and it was expected for some days that he would be assaulted, but the expected did not happen. This exposure in the Statesman was a fatal blow to the know-nothing party in Oregon. Determined, however, to make the know-nothings show their hands, the legislature, at its December session, 1854, passed an act requiring all voters at the polls to vote *viva voce*, that is, to proclaim publicly the name of the candidate for whom they voted. This act, after it had accomplished its purpose, was repealed.

Much of the time of this session was devoted to a controversy about the location of the capitol. Finally a bill was passed locating the capitol at Corvallis and the state university at Jacksonville. A bill was also passed creating Multnomah county, and another submitting to the people the question as to the formation of a state government. Congress had made appropriations for a state house and other public buildings at Salem, and some of these buildings were partly constructed when the seat of government was changed to Corvallis, and thereupon the controller of the treasury refused to recognize the act changing the capitol, and held that moneys appropriated by congress for public buildings in Oregon could be expended only at Salem.

In the legislature of 1854 a proposition was made to exclude free negroes and Chinese from the territory, and a motion was made by a member from Jackson county to amend the bill so that slaveholders might bring and hold their slaves in Oregon, but the bill did not pass. Incidental to the canvass in June, 1854, it may be mentioned that the whigs carried Washington, then including what is now Multnomah county, by an average majority of sixty. David Logan, whig, was elected to the legislature by a vote of six hundred and forty-eight to five hundred and ninety-two for D. H. Belknap, democrat. There were cast in the city of Portland at that election three hundred and five votes for Logan and two hundred and twenty-six for Belknap. Mr. Josiah Failing was mayor of Portland. The proposition to hold a convention to form a constitution was defeated by a vote of three thousand two hundred and ten for, to four thousand and seventy-nine against it. P. P. Prim was elected prosecuting attorney in the first district, R. P. Boise in the second, and Noah Huber in the third district.

Some time in the fall of 1853 O. B. McFadden was appointed an associate

justice in Oregon upon the ground, as it was alleged, that in the commission of Judge Deady he was named Mordecai P. Deady instead of Matthew P. Deady. This, however, was soon rectified by a new commission in which he was correctly named, and Judge McFadden was transferred as a judge to the territory of Washington. James A. Burnett was territorial auditor, Nat. H. Lane treasurer, and Milton Shannon librarian. John B. Preston was removed in 1853 from the office of surveyor-general, and Colonel Gardner appointed in his place. It was in this year that the Indian outbreak occurred in Southern Oregon.

In June, 1855, an election was held for delegate to congress and members of the legislative assembly. Gen. Joseph Lane was the candidate of the democrats, Gov. John P. Gaines of the whig party. General Lane had the advantage of General Gaines in several respects. The democratic party was in the ascendant in the territory, and General Lane was a thorough-going party man. He was a born politician. He knew how to flatter and please the people. General Gaines had been governor of Oregon under the Fillmore administration, and had more dignity than affability in his manners. Both candidates were officers in the Mexican war, and General Gaines had been in congress from the state of Kentucky. The whig convention adopted as a platform "General Gaines against the world." The democratic platform was made up of the usual platitudes of a party platform. The canvass was somewhat exciting and the candidates indulged in some unpleasant personalities, but the Oregon Statesman, the organ of the democrats, and The Oregonian, the organ of the whigs, exhausted the vocabulary of invective and abuse in speaking of their opponents. The chief speakers for the democrats in this campaign were General Lane, Delazon Smith and Judge O. C. Pratt. Those for the whigs were General Gaines and T. J. Dryer. General Lane was elected, receiving six thousand one hundred and thirty-five votes to three thousand nine hundred and eighty-six for General Gaines. Jackson county cast the largest vote of any county in the territory, giving to Lane eight hundred and nineteen and Gaines six hundred and seventy-seven. Marion was next, with a vote of seven hundred and forty-two for Lane and four hundred and seventy-one for Gaines, and Linn next, with a vote of seven hundred and eighty-three for Lane and three hundred and ninety-nine for Gaines. Multnomah at that election gave Lane three hundred and forty, and Gaines two hundred and sixty-seven votes. The proposition for a state government was defeated by a vote of four thousand four hundred and twenty-two for to four thousand eight hundred and thirty-five against it. On the tenth of February, 1855, John McCracken was appointed marshal of the territory. December 3, the legislature assembled at Corvallis, and consisted of the following members: Council—Polk, James M. Fulkerson; Linn, Charles Drain; Douglas and Coos, Hugh D. O'Bryant; Marion, J. C. Peebles; Benton, Avery A. Smith; Clackamas, James K. Kelly; Multnomah, Washington and Columbia, A. P. Dennison; Clatsop and Yamhill, N. Huber. A. P. Dennison was elected president. House—Waymire and Boise, of Polk; Robinson and Buckingham, of Benton; Moores and McAlexander, of Lane; Hudson, of Douglas; Smith, Brown and Grant, of Linn; Grover, Harpole and Harrison, of Marion; Risley and Officer, of Clackamas; Shuck and Burbank, of Yamhill; Harris, of Columbia; Callender, of Clatsop; Tiehner, of Coos; Gates, of Wasco; Brown, of Multnomah; Johnson, of Washington; Jackson, of Multnomah and Washington; Cozad, of Umpqua; Smith, Barkwell and Briggs, of Jackson. Delazon Smith was elected speaker, and Thomas W. Beale chief clerk.

These members met in session at Corvallis. Consequent upon the ruling of the controller of the treasury as to the expenditure of money for public buildings, a bill was soon passed relocating the capital at Salem, followed by an immediate adjournment of the legislature to meet at that place. On December 22, 1855, the state house at Salem, with all its contents, was destroyed by fire, supposed to be the work of an incendiary. Another bill to submit the question of a state government to the people was passed by this

legislature. The proposition was again defeated at the June election, in 1856, by a vote of four thousand and ninety-seven for to four thousand three hundred and forty-six against it. The following were elected members of the legislature at this election: Council — Washington, T. R. Cornelius, F. R. Bayley; Marion, Nat. Ford; Linn, Charles Drain; Douglas, Hugh D. O'Bryant; Marion, J. C. Peebles; Benton, A. A. Smith; Jackson, John Rose; Clackamas, James K. Kelly. James K. Kelly was elected president, and A. S. Watt chief clerk. House — John S. Miller, Thomas Smith, Jackson; A. M. Berry, Jackson and Josephine; Aaron Rose, Douglas, Coos and Curry; A. E. Rogers, D. C. Underwood, Umpqua; James Monroe and Robert Cochran, Lane; A. J. Matthews, Josephine; Delazon Smith, H. L. Brown and William Ray, Linn; J. C. Avery and James A. Bennett, Benton; A. J. Welch, Walter M. Walker, Polk and Tillamook; L. F. Grover, William P. Harpole and Jacob Conser, Marion; A. L. Lovejoy, Felix M. Collard and William A. Starkweather, Clackamas; William Allen, Yamhill; George W. Brown, Multnomah; H. N. V. Johnson, Washington; Samuel E. Barr, Columbia; James Taylor, Clatsop. L. F. Grover was elected speaker, and D. C. Dade chief clerk.

An event occurred in Washington in 1856 which had some influence upon the political future of General Lane. Senator Brooks, of South Carolina, as it will be remembered, made a personal assault upon Senator Sumner, of Massachusetts, in the senate. Wilson, the colleague of Sumner, denounced the assault as an outrage in unmeasured terms. Brooks challenged Wilson, on account of the language he used in reference to that matter, and General Lane, as the friend of Brooks, was the bearer of the challenge. This created an impression in the public mind to some extent that Lane favored the conduct of Brooks.

Nominations for president and vice-president, preparatory to the November election of 1856, were made as follows: Democratic — James Buchanan, of Pennsylvania, for president; J. C. Breckinridge, of Kentucky, for vice-president. Republican — John C. Fremont, the Western explorer, for president; W. L. Dayton, of New Jersey, for vice-president. Know-Nothing — Millard Fillmore, of New York, for president; A. J. Donnelson, of Tennessee, for vice-president. Buchanan and Breckinridge were elected.

In August, 1856, a convention was held at Albany to organize a republican party in Oregon. James Hogue was president, and Origin Thompson secretary of the convention. Among those present were Messrs. Conner, Whitson, Gallagher, Condon and George. Their platform consisted of this resolution: "*Resolved*, That we fling our banner to the breeze inscribed, free speech, free labor, a free press, a free state and Fremont." Oregon at this time, of course, had no vote in the presidential election. George L. Curry was reappointed governor, and Benjamin F. Harding secretary of the territory in October of this year. The legislature elected in June assembled in Salem December 2, 1856. Governor Curry's message reviewed the events of the Indian war, opposed the removal of the capitol and favored the formation of a state government. A bill was passed at this session of the legislature providing that at the June election, 1857, the people should vote for and against a convention to form a state constitution, and at the same time vote for delegates to the convention. In case the convention carried, the delegates elected should meet at Salem on the third Monday in August, 1857, to form a state constitution. Convention carried by a vote of seven thousand two hundred and nine for to one thousand six hundred and sixteen against it, and the following delegates were elected to the constitutional convention: Benton, Henry B. Nichols, William Matzger, Haman C. Lewis, John Kelsey; Clackamas, J. K. Kelly, A. L. Lovejoy, William A. Starkweather, Hector Campbell, Nathaniel Robbins; Clatsop, Cyrus Olney; Curry, William H. Packwood; Columbia, John W. Watts; Coos, Perry B. Marple; Douglas, Matthew P. Deady, Stephen F. Chadwick, Solomon Fitzhugh, Thomas Whitted; Jackson, L. J. C. Duncan, John H. Reed, Daniel Newcomb, P. P. Prim; Josephine, L. B. Hendershott, William H. Watkins; Linn, Delazon

Smith, Luther Elkins, Reuben S. Coyle, John T. Brooks, James Shields, J. Brattain; Lane, Paul Brattain, I. R. Moores, A. J. Campbell, Jessie Cox, W. W. Bristow, E. Houtt; Marion, L. F. Grover, George H. Williams, Davis Shannon, Nicholas Shrum, Joseph Cox, Richard Miller, John C. Peebles; Multnomah, S. J. McCormick, William H. Farrar, David Logan; Multnomah and Washington, Thomas J. Dryer; Polk, Reuben P. Boise, Benjamin F. Burch, F. Waymire; Polk and Tillamook, A. D. Babcock; Umpqua, Jesse Applegate, Levi Scott; Washington, E. D. Shattuck, John S. White, Levi Anderson; Wasco, C. R. Meigs; Yamhill, J. R. McBride, R. V. Short, R. C. Kinney, M. Olds.

General Lane was again the candidate of the democratic party for delegate in congress, and G. W. Lawson, of Yamhill, was an independent candidate against him. Slavery, like Aaron's rod, swallowed up all other questions at that time. Lawson was a somewhat eccentric individual, but a pretty good speaker, and made a vigorous canvass, but Lane was the war horse of the democracy, and invincible. Lane was elected by a vote of five thousand six hundred and sixty-two to three thousand four hundred and seventy-one for Lawson. Based upon the possibility that the state government might be again defeated, the following persons were elected to a territorial legislature, which, with its unimportant session in December, were the closing scenes of Oregon as a territory: Council—Benton and Lane, Avery A. Smith; Jackson and Josephine, A. M. Berry; Linn, Charles Drain; Multnomah, Edward Shiel; Polk and Tillamook, Nathaniel Ford; Umpqua, Douglas, Coos and Curry, Hugh D. O'Bryant; Washington, Multnomah and Columbia, Thomas R. Cornelius; Wasco and Clackamas, Aaron E. Wait; Yamhill and Clatsop, Thomas Scott. House—Benton, Reuben C. Hill and James H. Slater; Clackamas, George Reese, F. A. Collard and S. P. Gilliland; Clatsop, Joseph Jefferies; Coos and Curry, T. J. Kirkpatrick; Columbia, Francis M. Warren; Douglas, Albert A. Matthew; Jackson, H. H. Brown, William M. Hughes; Josephine, J. G. Spear; Jackson and Josephine, R. S. Belknap; Linn, Anderson Cox, A. H. Cranor, H. M. Brown; Lane, John Whiteaker, J. W. Mack; Marion, Jacob Woodsides, George M. Able, Eli C. Cooley; Multnomah, William M. King; Polk and Tillamook, Benjamin Hayden; Polk, Ira F. M. Butler; Umpqua, James Cole; Washington and Multnomah, Thomas J. Dryer; Washington, H. V. N. Johnson; Wasco, N. H. Gates; Yamhill, Andrew Shuck and William Allen.

James Buchanan was inaugurated March 4, 1857. His message to congress was largely devoted to the absorbing slavery question, the fugitive slave law and the government of Kansas. His cabinet was as follows: Lewis Cass, of Michigan, secretary of state; R. M. T. Hunter, of Virginia, secretary of the treasury; John Appleton, of Maine, secretary of the interior; Howell Cobb, of Georgia, secretary of the navy; James A. Bayard, of Delaware, secretary of war; James D. Bright, of Indiana, postmaster-general.

I was reappointed chief justice of Oregon by Mr. Buchanan, but soon after resigned. Buchanan's appointments for Oregon, under the new state government, were as follows: M. P. Deady, United States district judge; A. J. Thayer, United States district attorney; D. B. Hannah, United States marshal. James W. Nesmith was superintendent of Indian affairs in 1857.

In February, 1857, there was a free state convention at Albany, of which W. T. Matlock was president, and L. Holmes secretary. All those who attended this convention were republicans. Whether Oregon should be a free or slave state, had now become the paramount issue in our local politics. A paper had been started at Corvallis, called *The Messenger*, to advocate the establishment of slavery in Oregon. I was a democrat, but in early life imbibed prejudices against slavery, that to some extent diluted my democracy. Many of the most influential democrats, with General Lane at their head, were active for slavery, and there was little or nothing said or done among the democrats on the other side of the question. I prepared and published in the *Oregon Statesman* an address to the people, filling one page of that paper, in which I enforced, with all the arguments at my command,

the inexpediency of establishing slavery in Oregon. I am not aware that any public speech or address was made on that question by any other democrat in the territory. Many democrats in private conversation expressed their opposition to slavery, but they spoke with "bated breath and whispering humbleness," for the dominating spirit in the democratic party was favorable to slavery. I flattered myself, vainly perhaps, that I had a fair chance to be one of the first United States senators from Oregon, but with this address that chance vanished like the pictures of a morning dream. I was unsound on the slavery question. On the third Monday of August, 1857, the constitutional convention assembled at Salem. Matthew P. Deady was elected president, Chester N. Terry secretary, John Baker sergeant-at-arms, and Asahel Bush printer. The standing committees were as follows: Legislative department—Boise, chairman; Lovejoy, Babcock, Chadwick, Watkins and Elkins. Executive department—Kelly, chairman; Farrar, Reed, Kelsey. Brattain of Lane, Dryer and McBride. Judicial department—Williams, chairman; Olney, Boise, Kelly, Grover, Logan and Prim. Military affairs—Kelsey, chairman; Whitted, Burch, Moores, Scott, Coyle and Matzger. Education and school lands—Peebles, chairman; Boise, Lockhart, Shattuck, Starkweather, Kinney and Robbins. Seat of government and public buildings—Boise, chairman; Prim, Campbell of Lane, Lewis, Olney, Chadwick and Shannon. Corporations and internal improvements—Meigs, chairman; Williams, Elkins, Hendershott, Campbell of Clackamas, Bristow and Miller. State boundaries—Lovejoy, chairman; Meigs, Olney, Newcomb, Applegate, Anderson and Watts. Suffrage and elections—Smith, chairman; Babcock, Brattain of Linn, Cox of Marion, Dryer, Olds and White. Bill of rights—Grover, chairman; Reed, Waymire, McCormick, Brooks, Shrum and Fitzhugh.

The chief speakers in the convention were Smith, Dryer, Boise, Kelly, Grover, Deady, Logan, Olney, Farrar and Waymire. I also took some part in the debates. All the different provisions of the constitution were quite thoroughly discussed, and, on the part of some of the speakers, with no little ability. The constitution as a whole was adopted by the convention on the eighteenth day of September, 1857, by a vote of thirty-five for to ten against it. Those voting against it were: Anderson, Dryer, Farrar, Hendershott, Kinney, Logan, Olds, White, Watts and Watkins. Those absent and not voting were: Applegate, Bristow, Campbell of Lane, Chadwick, Lewis, McBride, Meigs, Nichols, Olney, Prim, Reed, Short, Shrum, Shattuck and Scott. Mr. Applegate, at an early day, became dissatisfied with the proceedings of the convention and left it. The schedule of the constitution provided that the question as to whether or not Oregon should be a slave state should be submitted to the people at the time they voted upon the constitution, and it also provided for a vote by the people at the same time as to whether or not free negroes should be allowed to come into and reside within the state. The constitution was adopted by a vote of seven thousand one hundred and ninety-five for to three thousand one hundred and ninety-five against it. Slavery was defeated by a vote of two thousand six hundred and forty-five for to seven thousand seven hundred and twenty-seven against it, and the exclusion of free negroes carried by a vote of eight thousand six hundred and forty for to one thousand and eighty-one against it. Many of those who voted for the exclusion of free negroes were at heart opposed to the policy, but it was considered necessary to throw this tub to the whale of the proslavery party to secure the success of the free state clause of the constitution.

On the sixteenth of March, 1858, a democratic state convention assembled at Salem to nominate candidates for office under the new state government. James W. Nesmith was chairman, and Shubrick Norris secretary. L. F. Grover was nominated for representative in congress, John Whiteaker for governor, L. Heath for secretary of state, John D. Boon for treasurer, Asahel Bush for state printer, M. P. Deady for judge of the first district, R. E. Stratton for judge of the second district, R. P. Boise for judge of the third

district, A. E. Wait for judge of the fourth district, A. C. Gibbs prosecuting attorney for the first district, J. N. Smith for the second, H. Jackson for the third, C. R. Meigs for the fourth. April 2, 1858, a republican convention assembled at Salem and nominated John Denny for governor, John R. McBride for representative in congress, Leander Holmes for secretary of state, E. L. Applegate for state treasurer and D. W. Craig for state printer. Their resolutions declared that slavery was a state and not a national institution; denounced the Dred Scott decision, and the Kansas policy of the Buchanan administration; antagonized the democratic state platform and the *viva voce* mode of voting, and favored a Pacific railroad. April 8, a national democratic convention, as it called itself, assembled at Salem and nominated James K. Kelly for representative in congress, E. M. Barnum for governor, A. E. Rice for secretary of state, Joseph L. Bromley for treasurer. and James O'Meara for state printer. Their resolutions approved the national democratic platform of 1856, and extolled President Buchanan and Gen. Joseph Lane. On May 21 Denny and McBride published a card declining to be candidates.

The split in the democratic party was due to several causes, some personal and some political. Mr. Bush, as editor of the Oregon Statesman, wielded a vigorous and caustic pen, and any democratic laggard or recusant was pretty sure to feel the lash of that paper. This made a considerable number of soreheads in the party. Then, there was an antagonism in the party to what was called the "Salem clique." This clique was understood to consist of the following persons: Asahel Bush, J. W. Nesmith, B. F. Harding, R. P. Boise, L. F. Grover, and their close adherents. It was claimed that these gentlemen were using the party for themselves and their friends, and, as they were all free state men, it was thought by some that they were not as friendly to General Lane as they might be. Last, but not least, there were more aspirants for office than there were offices to fill. All the elements of opposition to the "Salem clique" fused in support of the ticket headed by Colonel Kelly. The chief canvassers for that ticket were Colonel Kelly and James O'Meara, and the chief canvassers for the Grover and Whiteaker ticket were L. F. Grover and Delazon Smith. I made some speeches in different parts of the state for the Grover and Whiteaker ticket. One of the chief topics of discussion in this canvass was the fifth and sixth resolution of the state democratic platform. These resolutions were iron-clad as to the duty of democrats to support the nominations of the convention and caucuses of the party. Colonel Kelly and O'Meara vigorously attacked these resolutions and claimed that they were intended to subjugate the democratic party to the dictation of the "Salem clique." The supporters of the Grover and Whiteaker ticket claimed that they were necessary to the integrity of the party. The contest was characterized by bitter personalities, and among the party newspapers the "maddening wheels of fury raged." Grover and Whiteaker were elected; Grover receiving five thousand eight hundred and fifty-nine votes to four thousand one hundred and ninety for Kelly, and Whiteaker five thousand seven hundred and thirty-eight votes to four thousand one hundred and fourteen for Barnum. The following constituted the membership of the legislature of 1858: Senate—Jackson, A. M. Berry; Lane, W. W. Bristow and A. B. Florence; Washington, Clatsop, Columbia and Tillamook, T. R. Cornelius; Marion, E. L. Colby and J. W. Grimm; Linn, C. Drain and L. Elkins; Douglas, J. F. Gazley; Yamhill, J. Lamson; Benton, J. S. McIteeny; Wasco, J. S. Ruckel; Josephine, S. R. Scott; Umpqua, Coos and Curry, —. Wells; Multnomah, J. A. Williams; Polk, F. Waymire. House—D. B. Hannah, of Clackamas; Robert Morrison, of Clatsop and Tillamook; Nelson Hoyt, of Columbia and Washington; William Tichner, of Coos and Curry; L. Norris and A. J. McGee, of Douglas; James H. Slater and Henry B. Nichols, of Benton; John W. McCauley, Daniel Newcomb and W. G. T'Vault, of Jackson; D. S. Holton, of Josephine; A. J. Crugan, R. B. Cochran and A. S. Patterson, of Lane; L. H. Cranor, J. T. Crooks, E. E. McMich and T. T. Thomas, of Linn;

B. F. Bonham, B. F. Harding, J. H. Lasater and John Stevens, of Marion; T. J. Dryer and A. D. Shelby, of Multnomah; B. F. Burch and J. K. Wait, of Polk; J. M. Cozad, of Umpqua; Wilson Bowlby, of Washington; Vic. Trevett, of Wasco; Andrew Shuck, of Yamhill. These members assembled at Salem July 5, 1858. Luther Elkins was elected president of the senate, and E. Carpenter secretary. W. G. T'Vault was chosen speaker of the house, and C. N. Terry chief clerk. Most of the time of this session was spent in discussion about the removal of the capital. On the seventh day of July Joseph Lane was elected United States senator in congress by a vote of forty-five to four blank votes, and Delazon Smith by a vote of thirty-nine to eight for David Logan.

In April, 1859, a democratic convention was held at Salem by which Lansing Stout was nominated for congress. The resolutions approved the democratic national platform of 1856, endorsed the Dred Scott decision, and the administration of James Buchanan. In the same month a republican convention was held at the same place by which David Logan was nominated for congress. A. G. Hovey, W. Warren and Leander Holmes were chosen as delegates to the national republican convention, and instructed to vote for William H. Seward as the republican candidate for president. The resolutions were against slavery in the territory, favored a Pacific railroad, internal improvements and a protective tariff. Stout was elected over Logan by a majority of sixteen. Logan and Stout were both young men of fine abilities and good lawyers, but their unfortunate habits blasted their bright prospects for future usefulness and distinction.

Governor Whiteaker called a special session of the legislature in May, 1859, and stated in his message that the object of the session was to adapt the existing laws to the new state government, and elect a United States senator in place of Delazon Smith, whose term had expired. General Lane had drawn the long term which ended March 3, 1861, and Smith the short term which ended March 3, 1859. On the fourteenth day of February, 1859, Senators Lane and Smith and Representative Grover took their seats in congress. This special session, after a good deal of wrangling, adjourned without any election.

Preparatory to the June election in 1860, a republican state convention was held at Salem, at which David Logan was again nominated for congress. The resolutions were similar to those of 1859, with a strong protest against the Dred Scott decision. A democratic convention was held at Eugene City, at which there was a serious disagreement among the delegates. Several counties had decided that the state democratic convention had not given them the number of delegates to which they were entitled, and as the convention decided to adhere to the apportionment made by the committee, several delegates withdrew from the convention, after which George K. Shiel was nominated for congress, and Joseph Lane, M. P. Deady and Lansing Stout were chosen delegates to the national democratic convention, and instructed to vote for General Lane as the democratic candidate for president. Shiel was elected with seventy-six majority over Logan. The agitation of the slavery question had now reached a crisis. The good Lord and good devil style of politics had become disgusting. I made up my mind that, as far as my opportunities allowed, I would resist the further aggression of the slave power and oppose the election to office of those who favored it. Accordingly, in the month of March, 1860, I went into Linn county, to the residence of Delazon Smith, and said to him: "Delazon, I have come here to beard the lion in his den (Smith's friends called him the 'Lion of Linn'); I am going to canvass Linn county, and my object is to beat you and General Lane for the senate. Come on and make your fight." He good-naturedly accepted the challenge, and we traveled on horseback to all parts of Linn county, through the rain and mud, speaking every day, sometimes in the afternoon and sometimes in the evening, and, as the accommodations in those days were somewhat limited, we generally occupied the same bed at night. When I go back in my thoughts to that

campaign, I do not think of the rain, mud and hard work, but I think of the solid comfort I experienced when, hungry, wet and weary, I was welcomed to the warm hospitalities of the pioneer families of Linn county. Colonel Baker came to Oregon some time in the winter of 1859, and he and Dryer made speeches for the republican ticket, but I believe I was the only democrat who made a general canvass, especially against the election of Lane and Smith.

On September 11, 1860, the legislature convened at Salem, and consisted of the following members: Senate—Thomas R. Cornelius, of Washington; William Tichner, of Umpqua, Coos and Curry; William Taylor, of Polk; Solomon Fitzhugh, of Douglas; D. S. Holton, of Josephine; John R. McBride, of Yamhill; James Monroe, of Lane; John A. Williams, of Multnomah; Luther Elkins and H. L. Brown, of Linn; A. B. Florence, of Lane; J. W. Grimm and E. Colby, of Marion; J. S. McHeeney, of Benton; A. M. Berry, of Jackson. Luther Elkins was elected president. House—S. E. Martin, of Coos and Curry; C. J. Trenchard, of Clatsop and Tillamook; Reuben Hill and M. H. Walker, of Benton; R. A. Cowles and James F. Gazley, of Douglas; J. Q. A. Worth, Bartlett Curl, Asa McCully and James P. Tate, of Linn; Joseph Bayley, John Duval and R. B. Cochran, of Lane; G. W. Keeler, J. B. White and J. N. T. Miller, of Jackson; Ira F. M. Butler and C. C. Cram, of Polk; Robert Mays, of Wasco; B. Stark and A. C. Gibbs, of Multnomah; A. Holbrook, W. A. Starkweather and H. W. Eddy, of Clackamas; Samuel Parker, Robert Newell, C. P. Crandall and B. F. Harding, of Marion; M. Crawford and S. M. Gilmore, of Yamhill; Wilson Bowlby, E. W. Conger, of Washington; J. W. Huntington, of Umpqua; and George T. Vining, of Josephine. B. F. Harding was elected speaker of the house.

Soon after the legislature assembled it became apparent that there was to be a fusion between the Douglas democrats, as they were called, and the republicans, in consequence of which Senators Berry, Brown, Florence, Fitzhugh, Monroe and McHeeney, friends of Lane and Smith, vacated their seats, and, as the saying was then, "took to the woods." This left the senate without a quorum. Warrants were issued for their arrest, but they were not found. Governor Whiteaker made an earnest and patriotic appeal to the absentees to return, and after an absence of ten or twelve days they resumed their seats in the senate. Soon after, a joint convention was held for the election of United States senators. There were fourteen ballots, and the votes, with some scattering, were about equally divided between J. W. Nesmith, E. D. Baker and George H. Williams. On the fourteenth ballot some of my supporters, under the pressure of the Salem clique, went over to Nesmith, and he was elected. The vote on the final ballot stood: For the long term, twenty-seven for Nesmith to twenty-two for Dedy. For the short term, twenty-six for Baker to twenty for George H. Williams.

James W. Nesmith for many years was a conspicuous figure in the politics of Oregon. He was a man of keen and ready wit, without much cultivation or refinement. He had a wonderful faculty of seeing the ridiculous side of things, and this faculty sometimes worked to his personal disadvantage. He was my colleague in the senate for two years. He was an ardent friend of Andrew Johnson, and I was his determined enemy. He secured nominations from the president, and I defeated them in the senate. This exasperated Nesmith and he became and for many years was my malignant enemy, and as a representative in congress did what he could with the help of some prominent republicans of Oregon to prevent my confirmation by the senate when I was nominated for chief justice by General Grant. But I am happy to say that before his last illness our friendly relations were reestablished, and while he was sick he wrote me a pathetic letter begging me to help him out of his imaginary troubles. He stood nobly by the administration of Mr. Lincoln in the prosecution of the war, and of the democrats in the senate voted alone for the constitutional amendment to abolish slavery, for which he deserves to be remembered with praise by the people of Oregon.

When the democratic national convention assembled at Charleston, on account of the resolutions adopted by the convention the delegates from the slave-holding states withdrew and organized a convention of their own. Oregon and California went with them. They nominated John C. Breckinridge for president and Joseph Lane for vice-president. Their resolutions affirmed that the constitution of the United States carried slavery into the territories and protected it there irrespective of any legislation by congress or the people of a territory, denounced opposition to the fugitive slave law, favored the acquisition of Cuba, and a Pacific railroad. The other delegates adjourned to Baltimore, where they nominated Stephen A. Douglas for president and Herschel V. Johnson for vice-president. Their resolutions affirmed the democratic platform of 1856, and recognized the rightfulness and validity of the fugitive slave law. The republican convention at Chicago nominated Abraham Lincoln for president and Hannibal Hamlin for vice-president. Their platform opposed the extension of slavery into the territories, but was quite conservative in other respects. A convention was held at Nashville at which John Bell was nominated for president and Edward Everett for vice-president. Though their platforms were somewhat different, there was in fact no essential difference between the republicans and Douglas democrats upon the slavery question. The Breckinridge and Lane party affirmed in effect that the constitution established and protected slavery in the territories of the United States. This the Douglas democrats denied. This was the real issue of the campaign.

Dryer in *The Oregonian* stigmatized the Douglas democrats as the abolition wing of the democratic party. The presidential electors for Lincoln were Thomas J. Dryer, B. J. Pengra and Wm. Watkins. For Breckinridge, James O'Meara, D. W. Douthit and Delazon Smith. For Douglas, Ben. F. Hayden, William Farrar and Bruce. For Bell, John Ross, S. Elsworth and Greer. There were numerous speakers in the field. Baker, Dryer, Woods and others for Lincoln; Smith, O'Meara and others for Breckinridge; Hayden, Farrar, Garfield and others for Douglas. I supported Douglas and canvassed for him, not so much to defeat Mr. Lincoln, whose election seemed altogether probable, as to persuade as many democrats as I could to withhold their votes from Breckinridge and Lane. Lincoln carried the state, and was elected president. The vote stood in Oregon, five thousand two hundred and seventy for Lincoln, five thousand and six for Breckinridge, three thousand nine hundred and fifty-one for Douglas, and one hundred and eighty-three for Bell.

President Lincoln organized an able cabinet as follows: William H. Seward, secretary of state; Salmon P. Chase, secretary of the treasury; Simon Cameron, secretary of war; Gideon Wells, secretary of the navy; Caleb B. Smith, secretary of the interior; Montgomery Blair, postmaster-general, and Edward Bates, attorney-general.

Mr. Lincoln's appointments for Oregon were as follows: District attorneys—E. D. Shattuck, April 2, 1862; E. W. McGraw, January 26, 1863; Joseph N. Dolph, January 30, 1865; United States marshal, William H. Bennett; surveyor-general, B. J. Pengra; superintendent of Indian affairs, W. H. Rector; collector of customs at Astoria, William L. Adams; William Matlock, receiver, and W. A. Starkweather, register of the land office at Oregon City.

The defeat of General Lane for vice-president closed his political career. I was quite well acquainted, though not intimate, with General Lane. I have never known a man in Oregon to whom the Latin maxim, *Suaviter in modo, fortiter in re*. (gentle in manners, brave in deed), could with more propriety be applied. He had all the essential qualifications of a successful politician, and if he had not been so imbued with a desire to extend slavery, might, in all human probability, have represented Oregon in the senate as long as he lived. He was intensely southern in all his feelings and sympathies, a devoted friend to Jefferson Davis, and opposed to coercive measures to preserve the union. I sincerely believed he was wrong and opposed him

upon that ground, but it is due to his memory to say that he had, what many shifty politicians have not, the courage of his convictions, and he stood by them to the bitter end. Delazon Smith, having identified himself with the fortunes of General Lane, went down with them. I knew Delazon Smith in Iowa as an infidel lecturer, a democratic politician and a Methodist preacher. He was a man of generous impulses and many intellectual gifts; socially a charming and most companionable man, and personally I liked him very much. As a stump orator, with the exception of Colonel Baker, there has never been his equal in the state of Oregon, but he lacked stability and strength of character. He was better fitted to follow than to lead men.

In Oregon, as well as elsewhere, 1861 was a year of excitement. The war and anti-war feeling was at fever heat. Every hill and valley found a tongue, and fiery speeches were made for and against the government.

Colonel Baker was killed at Ball's Bluff in 1861. He canvassed Iowa in 1848 for Taylor. I was then judge of the first judicial district of that state, and had an opportunity to hear him at several places where I was holding court. I also heard him in this state. I have heard a good many men make speeches who were distinguished for their oratory, but the most eloquent man I ever heard was Edward D. Baker. He was admirable in form and features, had a clear, ringing, silvery voice, and could soar into the regions of imagination with more brilliancy and come down to the solid facts of a speech with a better grace than any man I ever knew. His death was a great loss to the country. Governor Whiteaker appointed Benjamin F. Stark to succeed Colonel Baker in the senate. Stark was a disciple of General Lane. Affidavits were forwarded to the senate from Oregon to show his disloyalty, but after considerable hesitation over the matter he was admitted to his seat. I can say of Senator Stark what Judge Black said of Justice Hunt, of the supreme court: "He was a very lady-like personage."

In January, 1862, a call was issued for a union state convention to be held at Eugene City on the ninth of April. This call was signed by H. W. Corbett, E. D. Shattuck and W. C. Johnson, republican state committee, and by Samuel Hanna, claiming to be chairman of the democratic state committee, and by the following persons, most of whom had been classed as democrats: J. J. Hoffman, A. C. Gibbs, W. S. Ladd, A. M. Starr, S. G. Reed, S. J. McCormack, Alonzo Leland, John McCracken, R. J. Ladd, A. C. R. Shaw, H. J. Geer, Dav. Powell, W. H. Farrar, A. Dodge, Lucien Heath, Joseph Cox, R. C. Geer, A. B. Hallock, James H. Lappeus, George H. Williams, B. F. Harding, E. Williams, B. Simpson, I. R. Moores, E. N. Cooke, H. M. Thatcher, David McCully, L. E. Pratt, H. Rickey, James Shaw, Joseph Magone, A. C. Daniels, J. W. McCully, Thomas Strang, H. Zanklosskey, T. B. Rickey, William Graves, E. N. Terry, A. L. Lovejoy, J. S. Rinearson, R. P. Boise, D. P. Thompson, L. F. Cartee, C. P. Crandall, A. F. Waller.

J. J. Hoffman, whose name heads this list, was a clerk in my office, and A. C. Gibbs, whose name stands second, was my law partner. Pursuant to the above named call, a convention was held at Eugene consisting of the following delegates: Benton—A. J. Thayer, J. R. Bayley, W. B. Spencer, M. Woodcock, A. G. Hovey. Clackamas—A. L. Lovejoy, W. Carey Johnson, M. C. Ramsby, S. Huelet, W. S. Dement, J. T. Kerns. Clatsop—William L. Adams. Columbia—E. W. Conyers. Douglas—T. B. King, W. T. Baker, T. R. Hill, E. A. Lathrop, J. Kelly, S. B. Briggs, James F. Watson, R. Reil. Jackson—L. A. Rice, James Burpee, W. W. Fowler, W. S. Hayden, S. Reddick, J. C. Davenport, J. B. Wrisley, E. S. Morgan, O. Jacobs, C. Heppner. Josephine—H. L. Preston, D. S. Holton, Jacob Mendenhall, J. S. Dunlap, Thomas Floyd, W. Mulvaney. Lane—W. W. Bristow, R. E. Stratton, J. M. Gale, B. J. Pengra, E. L. Applegate, N. Humphrey, G. H. Murch, J. McFarland. Linn—Hiram Smith, Daniel Froman, William McCoy, J. M. Elliott, L. Fanning, D. B. Randall, John Smith, A. Hannen, O. W. Richardson, T. A. Riggs. Marion—I. R. Moores, E. N. Cooke, A. Bush, S. Brown, B. F. Harding, E. Williams, George A. Edes, Joseph Magone, J. W. Grimm, P. A. Davis, W. Shannon, William Chase. Multno-

mah — A. M. Starr, T. H. Pearne, H. W. Corbett, A. C. R. Shaw, S. M. Smith, David Powell, William H. Watkins, George H. Williams. Polk — J. D. Holman, W. C. Warren, J. D. Collins, B. Simpson, S. J. Gardner. Umpqua — Jesse Applegate, R. H. Lord. Wasco — William Logan, James H. O'Dell, J. H. Wilbur, Z. M. Donnell. Washington — Wilson Bowlby, A. Hindman, W. B. Adcock, I. Hall. Yamhill — Joel Palmer, W. B. Breyman, J. R. Bean, Joseph Sanders, J. B. Condon, W. B. Daniels. Coos and Curry — William Tichner, T. D. Winchester. A. L. Lovejoy was president, and C. N. Terry secretary.

The convention made the following nominations :

John R. McBride for congress; A. C. Gibbs for governor; Samuel May for secretary of state; Harvey Gordon for state printer; Edwin N. Cook for state treasurer; E. D. Shattuck for judge of the fourth district; James F. Gazley for prosecuting attorney, first district; A. J. Thayer for second district; J. G. Wilson, third district, and W. C. Johnson for the fourth district. The convention appointed the following as an executive committee for the campaign: Henry Failing, B. F. Harding, Hiram Smith, George H. Williams and S. Huelet.

A democratic convention at Eugene on the sixteenth of April, 1862, nominated for congress, A. E. Wait; for governor, John F. Miller; for state printer, A. Noltner.

The campaign was conducted with great spirit and much ill-feeling. War was in the hearts of our people as much as it was elsewhere, but we fought it out with ballots and not with armed forces and bloodshed. Ex-Governor Curry conducted a paper in Portland called the Advertiser, which vehemently opposed the war and the administration of Lincoln, and W. L. Adams conducted a red-hot republican paper at Oregon City called the Oregon Argus, in which he hammered his political opponents with merciless severity. The Statesman and The Oregonian were on the same side in this fight. The whole union ticket was elected by an average majority of three thousand. The total vote in Portland was six hundred and seventy — four hundred and sixty for McBride and two hundred and ten for Wait.

The legislature elected in June assembled in Salem, September 8, 1862, and consisted of the following members:

Senate — Benton, A. G. Hovey; Linn, Bartlett Curl, D. W. Ballard; Marion, J. W. Grim, William Greenwood; Washington, Columbia, Clatsop and Tillamook, Wilson Bowlby; Lane, Campbell E. Chrisman; Multnomah, John H. Mitchell; Coos, Curry and Umpqua, Joseph W. Drew; Jackson, Jacob Wagner; Clackamas and Wasco, James K. Kelly; Yamhill, John R. McBride; Polk, William Tayler; Lane, James Monroe; Josephine, D. S. Holton. Wilson Bowlby was elected president, and Samuel Clarke chief clerk.

House -- Jackson, E. L. Applegate, J. D. Haines, S. D. Van Dyke; Josephine, J. D. Fay; Douglas, R. Mallory, James Watson; Umpqua, W. H. Wilson; Coos and Curry, Archibald Stevenson; Lane, S. V. McClure, A. A. Hemingway, M. Wilkins; Benton, A. N. Withan, C. P. Blair; Linn, H. D. Brown, John Smith, William McCoy, A. A. McCully; Marion, I. R. Moores, Joseph Engle, C. A. Reed, John Minto; Polk, B. Simpson, G. W. Richardson; Yamhill, Joel Palmer, John Cummings; Washington, R. Wilcox; Washington and Columbia, E. W. Conyers; Clackamas, F. A. Collard, M. Ramsby, J. T. Kean; Multnomah, A. J. Dufur, P. Wasserman; Clatsop and Tillamook, P. W. Gillette; Wasco, O. Humason. Joel Palmer was elected speaker, and S. T. Church chief clerk.

A joint convention was held for the election of a senator to fill the unexpired term of Colonel Baker. The vote for a long time was about equally divided between B. F. Harding and George H. Williams, with a few votes for the Rev. Thomas H. Pearne, but the Salem clique were too much for me again, and on the thirtieth ballot Harding was elected.

Public attention was absorbed by the war in 1863, and there were no political movements of any note in Oregon in that year. In March, 1864, a

union convention was held at Albany, of which Wilson Bowlby was president and W. C. Whitson secretary. J. H. D. Henderson was nominated for congress; George L. Woods, N. H. George and J. F. Gazley for presidential electors. Delegates to the national convention were Thomas H. Pearne, J. W. Souther, M. Hirsch, Josiah Failing, H. Smith and T. Charman. They were instructed to vote for the renomination of Abraham Lincoln. R. E. Stratton was nominated for judge of the second judicial district and James F. Watson for district attorney. In the third district, R. P. Boise was named for judge and Rufus Mallory for district attorney, and in the fifth district, J. G. Wilson for judge and C. R. Meigs for district attorney.

In April a democratic convention was held at Salem. James K. Kelly was nominated for congress; A. E. Wait, S. F. Chadwich and Benjamin F. Hayden for presidential electors. Delegates to the national convention were Benjamin Stark, William Higbee, William McMillen, Jefferson Howell, John Whiteaker, N. T. Caton. S. Ellsworth was nominated for judge of the second district, J. S. Smith for the third and J. H. Slater for the fifth. The union ticket was elected by an average majority of two thousand five hundred. Some of those who were in the union ranks in 1862 fell out in 1864 on account of the emancipation proclamation of Mr. Lincoln.

The republican national convention nominated Abraham Lincoln for president and Andrew Johnson for vice-president. The resolutions approved the administration of Lincoln and favored a vigorous prosecution of the war. The democratic national convention nominated George B. McClellan for president and George H. Pendleton for vice-president. The resolutions declared the war a failure, demanded the cessation of hostilities and a convention of the states to settle the pending difficulties.

On September 12, 1864, the legislature elected in June assembled at Salem and consisted of the following members:

Senate—Douglas, Coos and Curry, G. S. Hinsdale; Washington, Columbia, Clatsop and Tillamook, Thomas R. Cornelius; Baker and Umatilla, James M. Pyle; Wasco, Z. Donnell; Yamhill, Joel Palmer; Polk, John A. Fraser; Clackamas, H. W. Eddy; Douglas, James Watson; Josephine, C. M. Cardwell; Marion, John W. Grim and William Greenwood; Linn, Bartlett Curl and D. W. Ballard; Lane, S. B. Crabsten and C. E. Chrisman; Multnomah, John H. Mitchell; Jackson, Jacob Wagner. John H. Mitchell was elected president, and E. P. Henderson chief clerk.

House—Baker, Daniel Chaplin, Samuel Colt; Benton, J. Quin Thornton, J. Gingles; Clackamas, Owen Wade, E. T. T. Fisher, H. W. Shipley; Columbia, Clatsop and Tillamook, P. W. Gillette; Coos and Curry, Isaac Hacker; Douglas, Alpheus Ireland, E. W. Otey, P. C. Parker; Jackson, James D. Fay, W. F. Songer, Thomas F. Beale; Josephine, Isaac Cox; Lane, J. B. Underwood, G. Gallison, A. McCormack; Linn, J. P. Tate, J. N. Parker, P. A. McCartney, Robert Glass; Marion, I. R. Moores, J. J. Murphy, H. L. Turner, J. C. Cartwright; Multnomah, P. Wasserman, L. H. Wakefield; Polk, C. LaFollett; Umatilla, Lafayette Lane; Washington, Wilson Bowlby, D. O. Quick; Wasco, A. J. Borland; Yamhill, G. W. Lawson, Henry Warner. I. R. Moores was elected speaker, and J. L. Collins chief clerk.

Circumstances seemed to indicate that Thomas H. Pearne or George H. Williams would be elected to the senate by this legislature, and with this in view we canvassed the state together, both of us advocating the election of Mr. Lincoln. Mr. Pearne was an able man and a fine speaker. I found in him a formidable competitor for the office. I was elected on the third ballot, the vote standing thirty-one for Williams, sixteen for Pearne, six for John F. Miller and two for Watkins. Bush, Nesmith, Harding and many others who had been identified with the union party, supported McClellan. Mr. Lincoln carried the state by about one thousand four hundred majority. On the fourth of March, 1865, I took my seat in the senate of the United States.

My task ends here. Many, and indeed a large majority, of those I have named in this paper have finished their earthly career, and the evening

shadows are rapidly closing around those who survive. I trust those who come forward to take our places will think kindly of what we have done, and strive to improve upon our work. I have had my full share of the ups and downs incident to political life, but there are no sore places in my memory. I am grateful to the Giver of All Good and the people of Oregon for the honor and good things I have enjoyed here, and my earnest desire is that God will bless this beautiful state in all its years and in all its borders with plenteousness and peace, and that righteousness, justice and truth may characterize and exalt its future history.

WOMAN IN OREGON HISTORY.

BY ABIGAIL SCOTT DUNIWAY.

The scientific world is slowly but surely returning to the original order of human affairs in its attempt to reëstablish the natural relations between the sexes, in which man and woman are the supplements, the counterparts, but never the opponents of each other. When God saw, in the beginning, "that it was not good for man to be alone," and created woman as his companion, counsellor and co-worker, the influence of our sex in molding the affairs of state and of nation began; and, no matter how much or how often perverted or hindered, the darkest age has never wholly destroyed it.

The great Author of human destiny understood this fundamental law when He placed fathers and mothers, brothers and sisters in the same home and family, and permitted each sex to associate with the other on a plane of governmental, social and domestic equality.

Often, in these latter years, when I have been addressing audiences in the cities of the middle west, and in the east and south, I have been asked why it was that the Pacific Northwest was so far in advance of the older settled portions of the United States in its recognition of the divine principle of equality of rights between the sexes, which originated in the human home. To this query I am always proud to reply that the territorial domain of Oregon was the first great section of our federal union in which woman's equal right to occupy and possess real estate, in fee simple, and on her own individual account, had ever been recognized or practiced.

All great uprisings of the race, looking to the establishment of a larger liberty for all the people, have first been generated in new countries, where plastic conditions adapt themselves to larger growths. It has ever been man's province to go before, to find the path in the wilderness and blaze the way for those who are to follow him. It is man's mission to tunnel the mountains, rivet the bridges, build the highways, erect the habitations, navigate the seas and subdue and cultivate the soil. It has ever been the province of woman to take joint possession with him of the crude homes that he has builded, and add to the rude beginnings of his border life those feminine endeavors through which, as the community increases in numbers, a higher civilization asserts itself; and, as it grows in years and riches, the wilderness is made to blossom as the rose.

The interests of the sexes can never be identically the same; but they are always mutual, always interdependent, and every effort to separate them results, primarily, in discontent and ultimately in failure.

When the true history of woman's agency in upbuilding the state of Oregon shall have been written, the world will marvel at the sublimity of the inspiration of the man, or men, who gave to the seal of the state its enduring motto, *alis volat propriis*, or "she flies with her own wings."

You have heard on this brilliant and important occasion a great many spirited, time-honored and true rehearsals of the valiant deeds of Oregon's

pioneer and public-spirited men. No one reveres or honors more sincerely than I the noble courage, the sturdy manhood, the spirit of enterprise displayed by the men whose names are inseparable from the history of this state's upbuilding. It required men of brave hearts and firm footsteps to lead the way in the vast enterprises that have culminated, after all the weary years that we are here to commemorate, in this realization of our forty years of statehood. Their deeds of daring, danger and endurance have long been chronicled in song and story. Many of their honored effigies look down upon us today from enduring canvas upon these tinted walls. Their silent images speak to us in rugged, yet kindly outlines of bygone days, when, in their vigorous, ambitious youth, they crossed a barren, almost trackless continent, encountering roaring rivers and rock-ribbed mountains, inhabited only by wild beasts and wilder savages. They speak to us of the prophetic vision with which they discerned this goodly land, long ere their eyes beheld the vernal shore "Where rolls the Oregon."

Other speakers have extolled the spirit of adventure characteristic of our Anglo-Saxon stock; a spirit which led men, like these, to hew their way through a perilous, toilsome pilgrimage to this summer land of the sun-down seas. But many were the women, daily companions of these men of valor, with lives equal to theirs in rectitude and energy, whose names, as yet, have found no place in song and story, who did their part as bravely as did any man; and their memory remains today enshrined only in the hearts of rustic neighbors, or of their descendants who knew and loved them in their obscurity. Many, and yet, alas, how few, will linger but a few years longer to gaze with dimming vision upon the serrid ranks of our annual parades of men who will march together with faltering steps at our regular reunions, until at last there shall be left no more survivors of our early pioneers.

What further shall we say of the women of Oregon, the wives, mothers and sweethearts of those once mighty men who are soon to vanish from human sight? Have they not as nobly and bravely borne their part as did the men? Were they not as faithful as they in building up this vigorous young commonwealth of the Pacific Northwest, which, today, includes the added states of Washington, Montana and Idaho, that together with this mother of states originally comprised the whole of Oregon?

That British Columbia obtained a valuable part of our Pacific Northwest territory while your humble speaker was yet a child, is a part of our history of which I cannot stop to speak. All of you older Oregonians can still remember that spirited campaign cry of your youth, whose refrain was "Fifty-four-forty, or fight." The younger Oregonians can read it in school histories.

I have before paid tribute to the bravery and endurance of man in subduing the primeval wilderness. It is now my grateful privilege to recognize woman's part, often more difficult and dangerous because accompanied by the added perils of maternity, and always as important as man's in building up a state from its crude beginnings into such fruition as we now behold.

We cannot forget the heroism of the women of the Whitman party, who were both victims and survivors of that historic and horrible massacre. We delight to honor the valor of those intrepid mothers of the mighty men of today and yesterday, who crossed the untracked continent in ox wagons or on horseback, some of whom have lived to see their native sons and daughters take proper place as living monuments in commemoration of those days that tried women's souls. We cannot forget the faithful bravery of the lone woman in a rough log cabin in the beautiful hills of Southern Oregon who, when her husband lay dead at her feet, from the treacherous aim of a cruel savage, kept the howling despoilers of her home at bay with her trusty rifle till the daylight came and brought her succor from the neighboring hills.

But my time is limited, and I cannot linger over facts already familiar to you all. Let it rather be my province to speak of those mothers in Oregon

whose patient endurance of poverty, hardship and toil brought them naught of public and little of private recompense, but whose children rise up and call them blessed, and whose husbands are known in the gates when they sit among the rulers of the land.

I have spoken of the inspiration that gave to us and to posterity the motto of the state seal of Oregon. But there was another inspiration, first voiced by Dr. Linn, of venerable memory, from whom one of our fairest and richest counties derived its name, and was afterward put into practical shape in congress by Delegate Samuel R. Thurston. It was an inspiration that placed Oregon as the star of first magnitude in our great galaxy of states, causing her to lead in recognizing woman's inalienable right, as an individual, to the possession and ownership of the soil, irrespective of gift, devise or inheritance, ante-nuptial settlement, or any sort of handicap or special privilege whatsoever. I allude to the donation land law. A dozen years ago, before my frequent journeyings had taken me from Oregon (as they have often done in later years), I became acquainted with hundreds of Oregonians over the state, some of whom are doubtless present at this hour, many of whom assured me with pride, and all with gratitude, that, but for this beneficent provision for the protection of home, not only their wives and children, but themselves also, would have no homes at all in which to abide.

Woman is the world's homemaker, and she ought always to be its home-keeper, or, at least, the privileged and honored keeper of a sufficient area of mother earth upon which to build and, if necessary, maintain a home. The woman who would neglect her home and family for the allurements of social frivolity, or the emoluments and honors of public life, is not the woman whose name will occupy a place among the annals of the Oregon pioneers. If Napoleon had said to Madame de Stael that the greatest woman was she who had reared the best, wisest and most patriotic children, his famous answer to her famous query would have been divested of all its coarseness. Men of renown in all the ages have been the sons of public-spirited, patriotic, home-loving women. "All that I am I owe to my mother," said our illustrious Washington; and our martyred Lincoln, in speaking of the deeds of heroism that characterized the women who bore the soldiers who bore the arms in our civil war, said: "I go for giving the elective franchise to all who bear the burdens of government, by no means excluding women."

I would not have you think for a minute that wise women would lessen paternal responsibility in caring for the home. Man ought to be, and generally is, or is supposed to be, the home-provider. But that he has often failed to keep his part of the mutual contract, try how he may, full many a husband can testify who is now living on his wife's half of the donation land claim, which, happily for all concerned, was recognized by law as hers in the beginning of their married life, and which she has ever since refused to sell or mortgage for any consideration whatever.

I pray you to indulge me while I say that I have never yet met a husband who has failed to make himself an agreeable and respected companion to the wife of his bosom, the mother of his children, if she possessed, in her own right, the home that sheltered them. Nor have I ever known any woman of Oregon when so situated to be compelled to sue for a divorce on account of "cruel and inhuman treatment, making life burdensome."

Right here is a pointer for the relief of our overcrowded divorce courts. Mr. Governor.

That the donation land law has its abuses, we all admit. The tracts of land it donated were too large, and the temptations for girl children to marry prematurely to secure lands were too great to create always the happiest results. But the principle was all right as to equality of ownership, and ought, in modified form, to be revived and continued indefinitely, as it surely will as civilization progresses and enlightenment and liberty increase.

How largely the state of Oregon is indebted to the donation land act for the origin of the spirit of freedom, justice and patriotism that prompted

patriotic women to send their sons and grandsons to face death in their heroic endeavor to "avenge the Maine"; how much the state owes, primarily, to that same patriotism for the promptitude of women in forming the Emergency Corps of the state, or becoming auxiliary to the Red Cross society, for the benefit of our boys in blue, or how far that experience has gone to increase the zeal with which they now come knocking at the gates of state government for admission within its portals to seats of their own among the electors, where there shall be no more taxation without representation to vex the spirits of our lawmakers with its biennial protests, I am sure I cannot tell you. But I know, and so do you, Mr. Governor of Oregon, and these honorable gentlemen, that the spirit of liberty and patriotism, like that of necessity and ambition, is in the air. It cannot be longer restricted by the fiat of sex or suppressed by the fiat of votes. The women of Wyoming, Colorado, Utah and Idaho, today enjoy their full and free enfranchisement. The governor, the legislature, the judiciary and the men voters of all those states speak as a unit in praise of their women voters. And shall Oregon, the proud mother of three great states, in the youngest of which the women are voters already—shall she refuse, through her men voters, to ratify the honorable action of the legislative assembly which has given them the glorious opportunity to celebrate the dawn of the twentieth century by making it a year of jubilee for the wives and mothers of the pioneers, to whose influence the upbuilding of the state is, by their own confession, so largely due? Forbid it, men and brethren! Forbid it, Almighty God!

And now, as I close, I beg leave to present for your edification the grandest poem that, from the Oregon woman's standpoint, has ever been written by Oregon's greatest poet, Joaquin Miller.

THE MOTHERS OF MEN.

The bravest battle that ever was fought!
 Shall I tell you where and when?
 On the maps of the world you will find it not—
 'Twas fought by the mothers of men.

Nay, not with cannon or battle shot,
 With sword or nobler pen!
 Nay, not with eloquent words or thought,
 From mouths of wonderful men!

But deep in a walled-up woman's heart—
 Of woman that would not yield,
 But bravely, silently, bore her part—
 Lo, there is that battlefield!

No marshaling troupe, no bivouac song,
 No banner to gleam and wave;
 But oh! these battles they last so long—
 From babyhood to the grave.

Yet, faithful still as a bridge of stars,
 She fights in her walled-up town—
 Fights on and on in the endless wars,
 Then, silent, unseen, goes down.

Oh, ye with banners and battle shot,
 And soldiers to shout and praise!
 I tell you the kingliest victories fought
 Were fought in these silent ways.

Oh, spotless woman in a world of shame;
 With splendid and silent scorn,
 Go back to God as white as you came—
 The kingliest warrior born!

The above addresses were made a matter of record on the senate journal of this date, by direction of the president of the senate.

S. L. MOORHEAD
Chief clerk.

EVENING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 14, 1899. }

The senate was called to order at 7:30 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senator Smith.

On motion of Senator Kelly, the reading of the journal of yesterday's proceedings was dispensed with.

The hour having arrived for the meeting of the senate and house of representatives in joint convention, the senate repaired to the hall of the house of representatives at 7:30 o'clock p. m.

JOINT CONVENTION.

The joint convention was called to order by the president of the senate, Hon. T. C. Taylor.

The chief clerk of the senate called the roll of the senate, and all the senators were present except Senator Smith.

The chief clerk of the house called the roll of the house, and all the members were present except Representatives Flagg, Fordney and Marsh.

The president stated that the object of the joint convention was for the purpose of electing a state librarian, a boatman at Astoria and a state dairy and food commissioner, as required by law, and also by authority of house concurrent resolution No. 14, fixing the date for the election of said officers.

Nominations being in order for the office of boatman at Astoria, Representative Curtis placed in nomination Mr. Domingo Bezzerich.

Senator Wade placed in nomination Mr. N. J. Sviudseth.

There being no further nominations, the roll was called.

Those voting for Mr. Bezzerich were: Messrs. Adams, Bates, Bayer, Beach, Brattain, Briggs, Brownell, Butt, Cameron, Cummings, Curtis, Daly of Benton, Davis, Donnelly, Driver, Farrell, Freeland, Fulton, Haines, Hall, Harmon, Haseltine, Hawson, Hill, Hobkirk, Howe, Josephi, Kelly, Kuykendall, Kruse, Lamson, Lewis, Looney, Mackay, Massingill, Maxwell, McCourt, McCul-

loch, McQueen, Michell, Moody, Morton, Mulkey, Myers, Patterson, Porter, Proebstel, Reed, Reeder, Roberts, Ross, Selling, Smith of Umatilla, Stanley, Stewart, Thompson of Clackamas, Topping, Thompson of Washington, Whalley, Williamson, Young, Mr. Speaker and Mr. President—63.

Those voting for Mr. Svindseth were: Messrs. Blackaby, Clem, Conn, Daly of Lake, Dufur, Grace, Gray, Gregg, Jones, Knight, McAlister, Morrow, Palmer, Platts, Sherwin, Stillman, Stump, Virtue, Wade, Whitney, Wilson and Wonacott—22.

Those voting for Mr. Curtis: Mr. Nichols.

Absent—Messrs. Flagg, Fordney, Marsh and Smith of Baker—4.

Mr. Bezzerich having received a majority of all the votes cast, was declared duly elected boatman for the ensuing term.

Nominations being in order for the office of state librarian, Mr. McCulloch placed in nomination Mr. J. B. Putnam.

Senator Dufur also placed in nomination for state librarian Mr. J. B. Putnam.

There being no further nominations, Representative Moody moved that the chief clerk be instructed to record all members of the joint convention as voting for Mr. Putnam.

The motion prevailed.

On this question the roll was called and the vote was:

Those voting for Mr. Putnam were: Adams, Bates, Bayer, Beach, Blackaby, Brattain, Briggs, Brownell, Butt, Cameron, Clem, Conn, Cummings, Curtis, Daly of Benton, Daly of Lake, Davis, Donnelly, Driver, Dufur, Farrell, Freeland, Fulton, Grace, Gray, Gregg, Haines, Hall, Harmon, Haseltine, Hawson, Hill, Hobkirk, Howe, Jones, Josephi, Kelly, Knight, Kruse, Kuykendall, Lamson, Lewis, Looney, Mackay, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Michell, Moody, Morrow, Morton, Mulkey, Myers, Nichols, Palmer, Patterson, Platts, Porter, Proebstel, Reed, Reeder, Roberts, Ross, Selling, Sherwin, Smith of Umatilla, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Wade, Whalley, Whitney, Williamson, Wilson, Wonacott, Young, Mr. Speaker and Mr. President—86.

Absent—Messrs. Flagg, Fordney, Marsh and Smith of Baker—4.

Mr. Putnam having received a majority of all votes cast, was declared duly elected state librarian for the ensuing term.

Nominations being declared in order for the office of state dairy and food commissioner.

Senator Howe placed in nomination Mr. J. B. Bailey.

Representative Whitney placed in nomination Mr. S. E. Seeley.

There being no farther nominations, the roll was called and the vote was:

Those voting for Mr. Bailey were: Messrs. Adams, Bates, Bayer, Beach, Brattain, Briggs, Brownell, Butt, Cameron, Cummings, Curtis, Daly of Benton, Davis, Donnelly, Driver, Farrell, Freeland, Fulton, Haines, Hall, Harmon, Haseltine, Hawson, Hill, Hobkirk, Howe, Josephi, Kelly, Kruse, Kuykendall, Lamson, Lewis, Looney, Mackay, Massingill, Maxwell, McCourt, McCulloch, McQueen, Micheli, Moody, Morton, Mulkey, Myers, Nichols, Patterson, Porter, Proebstel, Reed, Reeder, Roberts, Ross, Selling, Smith of Umatilla, Stanley, Stewart, Thompson of Clackamas, Thompson of Washington, Topping, Whalley, Williamson, Young, Mr. Speaker and Mr. President—64.

Those voting for Mr. Seeley were: Messrs. Blackaby, Clem, Conn, Daly of Lake, Dufur, Grace, Gray, Gregg, Jones, Knight, McAlister, Morrow, Palmer, Platts, Sherwin, Stillman, Stump, Virtue, Wade, Whitney, Wilson and Wonacott—22.

Absent—Messrs. Flagg, Fordney, Marsh and Smith of Baker—4.

Mr. Bailey having received a majority of all the votes cast, was declared duly elected state dairy and food commissioner for the ensuing term.

On motion of Senator Harmon, the joint convention dissolved.

IN THE SENATE.

The senate was called to order by the president.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 14, 1899.)

Mr. President:

Your committee on enrolled bills, to whom was referred senate bills Nos. 54, 73, 36, 160, 84, 171, 104, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

Unanimous consent being given, Senator Reed introduced senate resolution No. 18.

SENATE RESOLUTION NO. 18.

Resolved, That the president of the senate appoint a committee of two to act in conjunction with the chief clerk and calender clerk of the senate

to examine, correct and approve the journal and calendar of the senate, and that said committee be allowed twenty days after the close of this session to perform such work ; the committee to receive no compensation therefor ; the chief clerk and calendar clerk to be paid the same amount per diem as allowed the chief clerk during the present session.

On motion of Senator Reed, senate resolution No. 18 was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 14, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 281, a bill for an act to amend the charter of the city of McMinnville, Yamhill county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 13, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 32.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Josephi, chairman of the special committee appointed on the part of the senate to meet with the members of the state board of agriculture, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1899. }

Mr. President:

Your special committee appointed to confer with the members of the state agricultural society, beg leave to report that we have performed the duty assigned us. As a result of such conference, we infer from the statements made to us by the members, that, aside from any question of merit as to the claims of the society to an appropriation, a grave legal problem confronts the state of Oregon, as to the lien of the state school fund against the property known as the fair grounds. A mortgage was executed to the

school fund by the state agricultural society for \$11,000, upon which no interest has ever been paid, and accrued interest amounts to \$3,524. We were informed at the conference that there is grave doubt as to whether or not the state of Oregon can enforce this lien as against other creditors, because of the mortgagor being in reality the state itself, and further that, even if no appropriation shall be made for this state board, any deficiency that may arise would constitute a further claim against the property, having priority over the mortgage above mentioned. It would follow from this, if the position taken by the society is correct, that every deficiency added to the present debt will detract from the value of the mortgage held by the school board. It is proposed by the society, that the legislature shall make an appropriation equal to the present outstanding indebtedness (over \$7,000) for the purpose of paying off the unsecured creditors in order that the state may acquire undisputed title to the land, the society to continue its operation of a fair, etc., for which \$5,000 per annum is to be paid under the present law. Your committee is of the opinion, that inasmuch as the school land fund is already a creditor, having a first mortgage upon which the interest is constantly accruing without any payment, it is folly to consider the idea of spending a large sum in addition, without any guaranty that the state will not be further made liable for future deficiencies. Your committee is of the opinion that the annual appropriation for a state fair should be discontinued, and that the affairs of the state agricultural society be wound up, so that the rights of the state school fund may be determined, and all financial matters connected with this business adjusted.

Respectfully submitted,

S. E. JOSEPHI,
Chairman.

Senator Selling moved that the report be laid on the table.

The motion was lost.

The report was received and referred to the committee on ways and means.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 14, 1899. }

Mr. President:

Your committee on enrolled bills, to whom was referred senate bills Nos. 82, 86 and 231, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

On motion of Senator Reed, the courtesies of the senate were extended to Hon. J. W. Hamilton, and he was invited to a seat within the bar.

Senator Brownell moved to take from the table house joint resolution No. 5.

The motion prevailed.

On motion of Senator Selling, further consideration of house joint resolution No. 5 was indefinitely postponed.

Unanimous consent being given, Senator Looney called up house bill No. 273.

Senator Looney moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—28.

Nays—None.

Absent—Senators Adams and Smith—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Looney moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—28.

Nays—None.

Absent—Senators Adams and Smith—2.

So the rules were suspended and the bill was read second time by title only.

Senator Looney moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—28.

Nays—None.

Absent—Senators Adams and Smith—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly

of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—28.

Nays—None.

Absent—Senators Adams and Smith—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 236. Senator Fulton (by unanimous consent). A bill for an act to amend section 3580, chapter I, of miscellaneous laws of Oregon.

Senator Fulton moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—28.

Nays—None.

Absent—Senators Adams and Smith—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Fulton moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—28.

Nays—None.

Absent—Senators Adams and Smith—2.

So the rules were suspended and the bill was read second time by title only.

Senator Fulton moved that the rules be further suspended and the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe,

Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Wade and Mr. President—27.

Nays—Senator Selling.

Absent—Senators Adams and Smith—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—28.

Nays—Senator Clem.

Absent—Senator Smith.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 61, with the amendments thereto attached.

AMENDMENT.

That in line 1 of section 1, after the words "that section 1" insert the following: "of an act entitled an act to amend an act entitled 'an act to create a state board of horticulture, and appropriate money therefor,' approved February 25, 1889," and an act amendatory thereof, entitled "an act to amend an act entitled 'an act to create a state board of horticulture and appropriate money therefor,' approved February 25, 1889, approved February 21, 1891, and to protect the horticultural industry in Oregon."

AMENDMENT.

That in line 1 of section 2, after the words "that section 2," insert the following: "of an act entitled an act to amend an act entitled 'an act to create a state board of horticulture, and appropriate money therefor,' approved February 25, 1889," and an

act amendatory thereof, entitled "an act to amend an act entitled 'an act to create a state board of horticulture, and appropriate money therefor,' approved February 25, 1889, approved February 21, 1891, and to protect the horticultural industry in Oregon."

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Harmon, the senate concurred in the amendments.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 13, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 107, with the amendment thereto attached.

AMENDMENT.

Strike out in line 4, section 1 of the engrossed bill, the words "or its tributaries."

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Harmon, the senate concurred in the amendments.

Unanimous consent being given, Senator Brownell called up house bill No. 112.

Senator Brownell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—29.

Nays—None.

Absent—Senator Smith.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Brownell moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—28.

Nays—None.

Absent—Senators Bates and Smith—2.

So the rules were suspended and the bill was read second time by title only.

Senator Brownell moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—29.

Nays—None.

Absent—Senator Smith.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Daly of Benton, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay Michell, Morrow, Mulkey, Patterson, Proebstel, Reed, Selling and Mr. President—22.

Nays—Senators Cameron, Clem, Driver, Howe and Wade—5.

Absent—Senators Daly of Lake, Porter and Smith—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following majority report:

MAJORITY REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 14, 1899. }

Mr. President:

The majority of the committee on revision of laws, to whom was referred house bill No. 252, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Add to section 2 the following:

The Drain Normal School, at Drain, Douglas county, Oregon, shall hereafter be known as the "Central Oregon State Normal School."

AMENDMENT.

Strike out of line 1, section 3, printed bill, the words "the Southern Oregon," and insert in lieu thereof the following words: "each of the aforesaid," and change the word "school" in line 1, section 3, to "schools."

AMENDMENT.

Amend section 4, printed bill, by inserting in line 20, after the word "Ashland," the words "and Drain respectively."

AMENDMENT.

Amend section 5, as follows:

Insert after the word "regents," in line 22, the following: "of the Southern Oregon State Normal School."

AMENDMENT.

Insert in line 24, after the word "county," the following: "and the board of regents of the Central Oregon State Normal School shall receive from the Drain State Normal School Association, a deed to the premises now used and occupied by the Drain State Normal School at Drain, Douglas county, Oregon, and strike out the word "Oregon" in said line 24.

AMENDMENTS.

Amend section 6, printed bill, as follows:

Insert after the word "regents," in line 26, the words "of the Southern Oregon State Normal School."

AMENDMENT.

Insert after the word "year," in line 27, the following: "and the annual meeting of the Central Oregon State Normal School shall be held at Drain, commencing on Tuesday of the week preceding the close of the school year."

AMENDMENT.

Amend section 7, by inserting in line 30, printed bill, after the word "regents," the following: "of each of said schools."

AMENDMENT.

Amend section 10, printed bill, by striking out of line 71 the words "fifteen thousand dollars to be drawn as follows on the," and inserting in lieu thereof the following: "Seventeen thousand five hundred dollars to be apportioned as follows: For the Southern Oregon State Normal School, ten thousand dollars; for the Central Oregon State Normal School, seven thousand five hundred dollars, to be drawn as follows, on the."

AMENDMENT.

Amend said section 10, by inserting after the word "regents," in line 73, the following words: "of each of said schools."

AMENDMENT.

Amend said section 10, by inserting after the word "legislature," in line 74, the word "therefor."

PERCY R. KELLY,
Chairman.
A. W. REED,
C. W. FULTON.

Senator Kelly moved the adoption of the amendments.

Senator Selling moved to amend the report by striking out \$17,500 and inserting \$10,000 in lieu thereof.

The amendment was lost.

Senator Daly of Lake moved to amend the report by striking out \$10,000 and insert in lieu thereof \$7,500.

The amendment was adopted.

The report, as amended, was adopted.

Senator Reed moved that the rules be suspended and that house bill No. 252 be considered engrossed, read third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Harmon, Kuykendall, Looney, Mackay, Mitchell, Morrow, Mulkey, Proebstel, Reed and Mr. President—18.

Nays—Senators Adams, Clem, Haines, Howe, Josephi, Kelly, Patterson, Porter, Selling and Wade—10.

Absent—Senators Haseltine and Smith—2.

So the senate refused to suspend the rules.

Senate bill No. 143 was read third time.

Unanimous consent being given, the chief clerk was instructed to amend by striking out the counties of Yamhill, Wallowa, Columbia, Tillamook, Josephine, Linn and Jackson, and also the word "rented" in line 4, section 1.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—28.

Nays—Senator Cameron.

Absent—Senator Smith.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Brownell, chairman of the committee on railroads, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

February 14, 1899. }

Mr. President:

Your committee on railroads, to whom was referred senate bill No. 85, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

GEO. C. BROWNELL,
Chairman.

Unanimous consent being given, Senator Reed called up house bill No. 252.

Senator Reed moved that the rules be suspended and that house bill No. 252 be considered engrossed, read third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Howe, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed and Mr. President—21.

Nays—Senators Adams, Clem, Haines, Haseltine, Josephi, Selling and Wade—7.

Absent—Senators Harmon and Smith—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Daly of Benton, Daly of

Lake, Driver, Dufur, Fulton, Harmon, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel and Reed—19.

Nays—Senators Adams, Clem, Haines, Haseltine, Howe, Josephi, Kelly, Selling, Wade and Mr. President—10.

Absent—Senator Smith.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

WEDNESDAY, FEBRUARY 15, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 15, 1899. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all of the senators were present except Senator Adams, who was excused for one hour.

The morning session of the senate was opened with prayer by the Rev. Mr. Shupp, of Salem, Oregon.

On motion of Senator Harmon, the reading of the journal of yesterday's proceedings was dispensed with.

On motion of Senator Kelly, the courtesies of the senate were extended to Hon. J. R. Wyatt, and he was invited to a seat within the bar.

Senate bill No. 63 being made a special order for this hour, the same was taken up for consideration.

Senator Selling demanded a call of the senate.

The roll was called, and those present were Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Absent—Senators Adams and Howe—2.

On motion of Senator Selling, further proceedings under the call of the senate was dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Daly of Benton, Haines, Haseltine, Josephi, Mackay, Michell, Morrow, Patterson, Proebstel, Selling and Mr. President—12.

Nays—Senators Brownell, Cameron, Clem, Daly of Lake, Driver, Dufur, Fulton, Harmon, Kelly, Kuykendall, Looney, Mulkey, Porter, Reed, Smith and Wade—16.

Absent—Senators Adams and Howe—2.

So the bill failed to pass.

Unanimous consent being given, Senator Daly of Lake, chairman of the committee on medicine, pharmacy and dentistry, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 15, 1899.

Your committee on medicine, pharmacy and dentistry, to whom was referred house bill No. 57, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. DALY,
Chairman.

Unanimous consent being given, Senator Daly of Lake, chairman of the committee on medicine, pharmacy and dentistry, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 15, 1899.

Your committee on medicine, pharmacy and dentistry, to whom was referred house bill No. 242, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments to printed bill:

AMENDMENT.

Amend line 1 of the title by striking out the word "midwives."

AMENDMENT.

In line 1 of section 1 strike out the words "and professional midwives."

AMENDMENT.

In line 1 of section 2 strike out the words "or midwives."

AMENDMENT.

In line 8 of section 4 strike out the word "midwives."

B. DALY,
Chairman.

On motion of Senator Daly of Lake, the amendments were adopted.

Unanimous consent being given, Senator Michell, chairman of the committee on printing, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

February —, 1899. }

Mr. President:

Your committee on printing, to whom was referred senate bill No. 178, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

In line 4, section 1 of the engrossed bill, insert after the word "state" the words "not yet printed."

AMENDMENT.

Amend section 2 by striking out the words "two and one-half dollars," and inserting in lieu thereof the words "three dollars."

AMENDMENT.

Amend section 2 by inserting after the word "reports" in second line of engrossed bill, "and any others he may now have on hand."

JOHN MICHELL,
Chairman.

On motion of Senator Michell, the amendments were adopted. Senate bill No. 178 was read third time.

Unanimous consent being given, the chief clerk was authorized to insert amendments.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Cameron, Clem, Daly of Benton, Driver, Fulton, Harmon, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—22.

Nays—Senators Daly of Lake, Dufur, Haines, Haseltine and Smith—5.

Absent—Senators Adams and Brownell.

Not voting—Senator Howe.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Mulkey, chairman of the committee on ways and means, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 15, 1899. }

Mr. President:

Your committee on ways and means, to whom was referred house bill No. 265, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. F. MULKEY,
Chairman.

On motion of Senator Selling, house bill No. 265 was recommitted to the committee on ways and means.

Unanimous consent being given, Senator Mulkey, chairman of the committee on ways and means, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 15, 1899. }

Mr. President:

Your committee on ways and means, to whom was referred house bill No. 90, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. F. MULKEY,
Chairman.

By the suggestion of Senator Kuykendall, the president instructed the chief clerk to enter in the journal of yesterday the addresses and other proceedings of Admission Day exercises, the same to be a part of the record of yesterday's proceedings.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred house bill No. 11, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Amend section 2, by striking out of the last line the following words: "and the place they were packed."

AMENDMENT.

Amend section 3, by striking out all after the word "labels," in line 3, printed bill, and insert in lieu thereof the following: "within the meaning of this act, to cause the arrest and prosecution of the party or parties guilty thereof."

AMENDMENT.

Amend section 5, by striking out the figures, "\$500," in line 3, printed bill, and insert in lieu thereof, "\$50," and also amend said section 5, by striking out all after the word "year," in line 5, printed bill.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendments were adopted. Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 102, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Add to section 1, the following words: "*Provided, however,* that if any person or party shall have acquired any vested right, title or interest in or to any land or lands through or over which the line of said railroad or branches thereof extend, since the expiration of the five years limit for the

construction of said railroad stipulated in the act of which this is amendatory, then the right, title, interest or estate of such person or party so acquired shall not be affected in anywise by the provision of this act.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendment was adopted.

Unanimous consent being given, the chief clerk was instructed to strike out the word "has" and insert in lieu thereof the word "have" in the first line of the preamble.

Senate bill No. 102 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Cameron, Clem Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Mackay, Michell, Morrow Mulkey, Patterson, Proebstel, Selling, Smith, Wade and Mr. President—24.

Nays—None.

Absent—Senators Adams, Brownell, Kelly, Looney, Porter and Reed—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 237. Senator Patterson (by unanimous consent). A bill for an act to provide for laying out and constructing roads.

Senator Patterson moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—27.

Nays—Senator Selling.

Absent—Senators Adams and Mulkey—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Patterson moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe,

- Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell.

So the rules were suspended and the bill was read second time by title only.

Senator Patterson moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 14, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 179, a bill for an act to protect Mongolian or Denny pheasants.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred house bill No. 156, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred house bill No. 157, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred house bill No. 249, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Senator Morrow moved that the rules be suspended and that house bill No. 249 be considered engrossed, read third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Daly of Lake and Patterson—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

	SENATE CHAMBER,	}
	SALEM, Oregon,	
<i>Mr. President:</i>	February 13, 1899.	

Your committee on judiciary, to whom was referred house bill No. 158, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

	SENATE CHAMBER,	}
	SALEM, Oregon,	
<i>Mr. President:</i>	February 13, 1899.	

Your committee on judiciary, to whom was referred house bill No. 130,

beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments :

AMENDMENT.

Strike out from the title of said bill the words "subdivision 6."

AMENDMENT.

Strike out from the first line of section 1, printed bill, the words "subdivision 6."

AMENDMENT.

Insert after the word "follows" in line 2 of section 1, printed bill, the following :

The secretary of state shall superintend the fiscal concerns of the state, and manage the same in the manner prescribed by law :

1. To keep fair, clear, distinct and separate accounts of all the funds and revenues of the state; and also, of all expenditures, disbursements and investments thereof, showing the particulars of every expenditure, disbursement and investment.

2. To carefully examine semiannually, the books and accounts of the treasurer, and the moneys on hand in the treasury, and immediately thereupon report the result of such examination in writing to the governor, specifying therein the amount and kinds of funds particularly.

3. To suggest plans for the improvement and management of the public revenues.

4. To keep and state all accounts between this state and the United States, and all other accounts in which the state is interested.

5. To examine and settle the accounts of all persons indebted to the state, and to certify the amount or balance to the treasurer.

AMENDMENT.

After the word "state" in line 6 of section 1 of printed bill, add the following :

7. To examine and determine the claims of all persons against the state, in cases where provisions for the payment thereof shall have been made by law, and to indorse upon the same the amount due and allowed thereon, and from what fund the same is to be paid, and draw a warrant upon the treasury for the same; and he shall report to the legislature, at the commencement of each regular session, a complete list of all accounts so audited, together with a general statement of the fiscal concerns of the state; *provided*, that no account shall be so audited except the same be duly verified by the oath, affidavit or affirmation of the claimant or his agent, and all accounts shall be kept on file in his office.

8. To enter in a book to be kept for that purpose an abstract of all warrants drawn on the treasury, showing the date, number, name of the claimant, the amount claimed, the amount allowed thereon, and from which fund to be paid.

9. To require every person who shall have received any money, property or goods belonging to the state, and shall not have accounted therefor, to settle their accounts, and to return such property or goods to the state.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendments were adopted.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

February 13, 1899.

Mr. President:

Your committee on judiciary, to whom was referred house bill No. 222, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

February 13, 1899.

Mr. President:

Your committee on judiciary, to whom was referred house bill No. 117, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it not do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

February 13, 1899.)

Mr. President:

Your committee on judiciary, to whom was referred house bill No. 155, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 13, 1899. }

Your committee on judiciary, to whom was referred house bill No. 32, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 13, 1899. }

Your committee on judiciary, to whom was referred house bill No. 5, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 13, 1899. }

Your committee on judiciary, to whom was referred house bill No. 21, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Strike out the word "conclusive" in line 6 of section 1 of printed bill, and insert in lieu thereof the words "*prima facie*."

AMENDMENT.

Insert in line 3 of section 2 of printed bill, after the words "making such sale," the following words, "or where bid in by the plaintiff, the amount bidden shall have been recelpted for to the officer executing the writ or order of sale."

AMENDMENT.

Add the following section :

Section 5. There being many defective titles that will be cured by this law this act shall take effect and be in force from and after its approval.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President :

February 13, 1899. }

Your committee on judiciary, to whom was referred house bill No. 81, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President :

February 13, 1899. }

Your committee on judiciary, to whom was referred house bill No. 30, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President :

February 13, 1899. }

Your committee on judiciary, to whom was referred house bill No. 18, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, further consideration of house bill No. 18 was indefinitely postponed.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred house bill No. 67, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred house bill No. 68, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 13, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred house bill No. 108, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February —, 1899.)

Your committee on judiciary, to whom was referred senate bill No. 87, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Amend section 2, printed bill, by striking out of line 1 the word "each," and inserting in lieu thereof the words "any one," and after the word "districts," in the same line, insert the following words: "upon the petition of not less than five master loggers of such district."

AMENDMENT.

Strike out section 5.

AMENDMENT.

Amend section 7, printed bill, by inserting after the word "shall," in line 1 the following words: "at the request of either the buyer or seller thereof."

AMENDMENT.

Strike out section 8.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendments were adopted. Senate bill No. 87 was read the third time.

Unanimous consent being given, the chief clerk was authorized to strike out "and" and insert the word "or."

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Clem, Dufur, Fulton, Haines, Harmon, Kelly, Kuykendall, Looney, Morrow, Patterson, Proebstel, Selling, Smith and Wade—16.

Nays—Senators Bates, Brownell, Daly of Benton, Daly of Lake, Driver, Haseltine, Josephi, Mackay, Michell, Mulkey, Porter, Reed, and Mr. President—13.

Absent—Senator Howe

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Kuykendall called up house bill No. 206.

Senator Kuykendall moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senators Howe.

So the rules were suspended and the bill was read second time by title only, and, on motion of Senator Kuykendall, was referred to the committee on mining.

Unanimous consent being given, Senator Proebstel called up house bill No. 247.

Senator Proebstel moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Howe.

So the rules were suspended and the bill was read second time by title only and referred to the committee on public lands.

Unanimous consent being given, Senator Josephi called up house bill No. 57.

Senator Josephi moved that the rules be suspended and that the bill be considered engrossed, read third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Dufur.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Dufur.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Reed called up senate bill No. 200.

Senator Reed moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—28.

Nays—Senator Selling.

Absent—Senator Looney.

So the rules were suspended and the bill was read second time by title only.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 15, 1899. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present.

Senate bill No. 200 coming up for further consideration, by unanimous consent the chief clerk was instructed to strike out all of section 15; also to amend section 8, page 3, line 2 thereof,

by inserting for the words \$10,000, "or so much thereof as may be required;" also to add the words "Spanish and Filippino wars."

Senator Reed moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—27.

Nays—Senator Selling.

Absent—Senators Brownell and Looney—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Howe and Proebstel—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Mackay, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 15, 1899.)

Your committee on counties, to whom was referred house bill No. 153, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Strike out all of section 1 of printed bill, commencing with the word "thence" in the twelfth line of said section, and ending with the word "river" in the sixteenth line of said section, both words inclusive, and in-

sert in lieu thereof the following: Thence north on the said east boundary to a point which is one mile south of the "first standard parallel south"; thence west along the section lines one mile south of said "first standard parallel south" to the center of the main channel of the John Day river.

AMENDMENT.

Also to amend section 4 of the said bill so that the same shall read as follows:

Section 4. Said county of Wheeler shall, for representative purposes, be annexed to the twenty-eighth representative district, and for senatorial purposes said county shall be annexed to the twenty-first senatorial district.

AMENDMENT.

Also to amend section 8 of said bill so that the same shall read as follows:

Section 8. Until otherwise provided by law the county judge of Wheeler county shall receive an annual salary of \$400; the county clerk of said county shall receive an annual salary of \$1,200; the sheriff shall receive an annual salary of \$1,600 and the treasurer shall receive an annual salary of \$250. The county court of Wheeler county shall appoint the stock inspector, and fix his salary.

DONALD MACKAY,
Chairman.

On motion of Senator Mackay, the amendments were adopted.

Unanimous consent being given, Senator Mackay, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 15, 1899.

Your committee on counties, to whom was referred house bill No. 37, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

DONALD MACKAY,
Chairman.

Unanimous consent being given, Senator Mackay, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 15, 1899.

Your committee on counties, to whom was referred house bill No. 168, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

DONALD MACKAY,
Chairman.

Unanimous consent being given, Senator Mackay, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

February 15, 1899.

Mr. President:

Your committee on counties, to whom was referred house bill No. 95, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

DONALD MACKAY,
Chairman.

Unanimous consent being given, Senator Mackay, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

February 15, 1899.

Mr. President:

Your committee on counties, to whom was referred house bill No. 241, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

DONALD MACKAY,
Chairman.

Unanimous consent being given, Senator Bates, chairman of the committee on roads and highways, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

February 15, 1899.

Mr. President:

Your committee on roads and highways, to whom was referred house bill No. 41, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

GEORGE W. BATES,
Chairman.

Unanimous consent being given, Senator Bates, chairman of the committee on roads and highways, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 15, 1899. }

Your committee on roads and highways, to whom was referred house bill No. 129, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

GEO. W. BATES,
Chairman.

Unanimous consent being given, Senator Haseltine, chairman of the committee on horticulture, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 15, 1899. }

Your committee on horticulture, to whom was referred house bill No. 238, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

Unanimous consent being given, Senator Haseltine, chairman of the special committee, consisting of the senators from Multnomah county, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 15, 1899. }

Your special committee, to whom was referred house bill No. 53, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

Senator Morrow moved that senate bill No. 153 be recommitted to a special committee, consisting of representatives from the sections named in the bill.

The motion was lost.

Unanimous consent being given, Senator Cameron, chairman of the committee on mining, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 15, 1899. }

Your committee on mining, to whom was referred house bill No. 206, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,
Chairman.

Unanimous consent being given, Senator Selling, chairman of the committee on commerce and navigation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 15, 1899. }

Your committee on commerce and navigation, to whom was referred house bill No. 154, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

BEN SELLING,
Chairman.

Unanimous consent being given, Senator Selling, chairman of the committee on commerce and navigation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 15, 1899. }

Your committee on commerce and navigation, to whom was referred house bill No. 3, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

BEN SELLING,
Chairman.

Unanimous consent being given, Senator Daly of Benton, called up senate bill No. 126.

Senate bill No. 126 was read third time.

Senator Smith moved that senate bill No. 126 be recommitted to committee with instructions to amend by striking out "\$1,800," and inserting "\$1,500."

Senators Daly, of Benton, and Smith called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Clem, Daly of Lake, Haines, Morrow, Selling, Smith and Mr. President—8.

Nays—Senators Bates, Brownell, Cameron, Daly of Benton, Driver, Fulton, Harmon, Haseltine, Josephi, Kuykendall, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed and Wade—18.

Absent—Senators Dufur, Howe, Kelly and Looney—4.

So the senate refused to recommit the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—25.

Nays—Senators Adams, Clem and Selling—3.

Absent—Senators Howe and Kelly—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Kuykenkall, the courtesies of the senate were extended to Hon S. M. Yoran and he was invited to a seat within the bar.

On motion of Senator Smith, the courtesies of the senate were extended to Hon. J. H. Eakin of Huntington, and he was invited to a seat within the bar.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
SALEM, Oregon,
February 15, 1899. }

To the honorable the senate of the state of Oregon:

I have this day appointed Charles F. Beebe to be brigadier-general of the national guard of the state of Oregon, to succeed himself, and respectfully request the confirmation of the appointment.

T. T. GEER,
Governor.

On motion of Senator Selling, the senate confirmed the appointment.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bills Nos. 104, 86, 160, 34, 36, 73, 82, 54 and 171.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bills Nos. 84, 109, 110, 182, 328, 339, 353 and 374.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 141.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
 Chief clerk.

The president announced that he was about to sign senate bills Nos. 104, 86, 160, 34, 36, 73, 82, 54 and 171, and house bills Nos. 84, 109, 110, 182, 328, 339, 353 and 374, and soon thereafter stated that he had signed the same.

Senator Mackay called up senate bill No. 41.

Senate bill No. 41 was read third time.

Senator Mackay demanded a call of the senate.

The roll was called, and those present were Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Proebstel, Selling, Smith, Wade and Mr. President — 28.

Absent—Senators Porter and Reed—2.

Senator Reed was noted present.

On motion of Senator Fulton, further proceedings under call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Clem, Daly of Benton, Fulton, Haines, Haseltine, Josephi, Kelly, Mackay, Michell, Patterson and Wade—13.

Nays—Senators Adams, Cameron, Daly of Lake, Driver, Dufur, Harmon, Howe, Kuykendall, Looney, Morrow, Mulkey, Proebstel, Reed, Selling and Smith—15.

Absent—Senator Porter.

Not voting—Mr. President.

So the bill failed to pass.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
SALEM, Oregon, }
February 15, 1899. }

To the honorable, the president of the senate:

I am directed by the governor to inform you that he has approved and signed the following bills: Senate bills Nos. 198, 193 and 7.

WALTER LYON,
Private secretary.

Unanimous consent being given, Senator Patterson, chairman of the joint committee to examine the books and accounts of the secretary of state, submitted the following report and the accompanying resolution:

REPORT.

Hons. G. W. Patterson, I. S. Bayer and W. E. Grace, joint committee for the examination of the books and accounts of H. R. Kincaid, secretary of state.

GENTLEMEN: In the matter of the investigation and expert examination of the books and accounts of Hon. H. R. Kincaid, secretary of state, which books and accounts you have entrusted to your clerk for expert examination and report, beg leave at this time to express to you as follows:

The men have worked faithfully and constantly, but it was believed by the committee that owing to newspaper and other criticisms, that the examination of the books with their accompanying vouchers should be thorough in every detail, for the last four years, 1895 to 1898 inclusive—your orders and suggestions have been carried out, and the time is now largely consumed

and the work is not complete, and it will be impossible to complete the examination in the time allowed. It will require ten or twelve days' additional time to complete this examination and make out the final report.

Respectfully submitted,

CHARLES H. DODD,
Chief clerk.

SENATE JOINT RESOLUTION NO. 16.

Resolved by the senate, the house concurring, that the clerks to investigate the books, accounts and vouchers of H. R. Kincaid, secretary of state, be granted twelve days' additional time in which to finish their work, and bring in their final report to the governor.

Senator Patterson moved the adoption of senate joint resolution No. 16.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Driver, Harmon, Michell, Patterson, Reed and Mr. President—7.

Nays—Senators Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Morrow, Mulkey, Proebstel, Selling, Smith and Wade—21.

Absent—Senators Adams and Porter—2.

So the senate refused to adopt senate joint resolution No. 16.

Senator Kuykendall moved that when the senate adjourn it adjourn to meet at 7:30 p. m. today for the further consideration of senate bill No. 3.

The motion prevailed.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 13, 1899.

Your committee on judiciary, to whom was referred house bill No. 15, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 13, 1899. }

Your committee on judiciary, to whom was referred house bill No. 16, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Strike out all of section 4.

AMENDMENT.

Add to section 3 the following words, "after the cause has been tried in the circuit court."

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendments were adopted.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 13, 1899. }

Your committee on judiciary, to whom was referred senate bill No. 118, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 15, 1899. }

Your committee on judiciary, to whom was referred house bill No. 263 beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,
Chairman.

Senator Harmon moved that the rules be suspended and that house bill No. 263 be considered engrossed, read third time and placed on final passage.

Senator Selling moved that house bill No. 263 be made a special order for Friday, at 11 o'clock, p. m.

Senator Fulton moved to amend the motion by striking out 11 o'clock p. m., Friday, and inserting 11 o'clock tomorrow.

The amendment was adopted.

The motion as amended was adopted.

Unanimous consent being given, Senator Fulton introduced senate concurrent resolution No. 10.

SENATE CONCURRENT RESOLUTION NO. 10.

Resolved by the senate, the house concurring, That the twentieth biennial session of the legislative assembly of the state of Oregon adjourn without day on Saturday, the eighteenth day of February, 1899, at 12 o'clock, noon, of said day.

Senator Fulton moved the adoption of senate concurrent resolution No. 10.

Senator Selling moved to amend the resolution by striking out 12 o'clock noon Saturday, and insert 12 o'clock p. m. Friday.

The amendment was lost.

The original motion being put, the resolution was adopted.

Unanimous consent being given, Senator Harmon called up house bill No. 79.

Senator Harmon moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Kuykendall, Looney, Reed, Smith, Wade and Mr. President—15.

Nays—Senators Bates, Clem, Haseltine, Howe, Josephi, Kelly, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel and Selling—14.

Absent—Senator Adams.

So the senate refused to suspend the rules.

Senator Mulkey moved that the rules be suspended and that senate bill No. 186 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Adams, Cameron and Selling—3.

So the rules were suspended and the bill was read second time by title only.

Senator Mulkey moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Smith, Wade and Mr. President—25.

Nays—Senator Selling.

Absent—Senators Adams, Cameron, Harmon and Patterson—4.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

Unanimous consent being given, the chief clerk was instructed to strike out section 3, and correct number of section.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Porter, Proebstel, Selling, Smith, Wade and Mr. President—24.

Nays—None.

Absent—Senators Adams, Cameron, Haseltine, Morrow, Patterson and Reed—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Title modified by unanimous consent.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 15, 1899. }

Mr. President:

Your committee on enrolled bills, to whom was referred senate bills Nos. 32, 175, 107, 228 and 141, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman

Unanimous consent being given, Senator Porter, chairman of the committee on public lands, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 15, 1899. }

Mr. President:

Your committee on public lands, to whom was referred house bill No. 247, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Insert "thence west 40 rods," in line 5, section 1, after the words "thence south 40 rods."

L. L. PORTER,
Chairman.

On motion of Senator Porter, the amendment was adopted.

Unanimous consent being given, Senator Haseltine, chairman of the committee on municipal corporations, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 15, 1899. }

Mr. President:

Your committee on municipal corporations, to whom was referred house bill No. 311, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

Unanimous consent being given, Senator Haseltine introduced senate concurrent resolution No. 11.

SENATE CONCURRENT RESOLUTION No. 11.

Whereas, the fifth biennial report of the state board of horticulture now in press contains a large amount of matter of great practical value to every orchardman and fruit-grower in the state, and the edition of one thousand copies provided for by the statute is wholly inadequate to meet the demand for the volume from the people of the state interested in horticulture; be it

Resolved, That the board be and is hereby authorized to have printed four thousand extra copies of said report; *provided*, that the additional cost be paid for entirely from the appropriation made for the expenses of the state board of horticulture for the years 1897-1898, and not otherwise.

On motion of Senator Haseltine, the resolution was adopted.

Unanimous consent being given, Senator Reed introduced senate concurrent resolution No. 12.

SENATE CONCURRENT RESOLUTION NO. 12.

Be it resolved by the senate, the house concurring, That the secretary of state be instructed to furnish to the state printer for publication, as required by law, true copies of the records of the proceedings of the legislative assembly, as shown by the journals thereof, and the laws, resolutions and memorials passed at this session, the compensation for such transcripts to be such as is prescribed by law for like services in other cases, and such copies of the laws to be furnished within sixty days from the date of the adjournment of this assembly. The original copies of said laws, journals, resolutions and memorials shall be safely kept on file in the office of the secretary of state, as required by law.

On motion of Senator Reed, the resolution was adopted.

Unanimous consent being given, Senator Smith called up house bill No. 311.

Senator Smith moved that the rules be suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Clem, Daly of Benton, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Mulkey, Porter, Proebstel, Smith and Wade—16.

Nays—Senators Bates, Looney, Mackay, Morrow, Selling and Mr. President—6.

Absent—Senators Adams, Cameron, Daly of Lake, Harmon, Kuykendall, Michell, Patterson and Reed—8.

So the senate refused to suspend the rules.

Unanimous consent being given, Senator Haines called up house bill No. 125.

Senator Haines demanded a call of the senate.

The roll was called, and those present were Senators Bates, Brownell, Daly of Benton, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Porter, Proebstel, Selling, Wade and Mr. President—20.

Absent—Senators Adams, Cameron, Clem, Daly of Lake, Harmon, Morrow, Mulkey, Patterson, Reed and Smith—10.

Senators Smith and Cameron were noted present.

On motion of Senator Haines, further proceedings under the call of the senate were dispensed with.

House bill No. 125 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Adams, Clem, Harmon, Mulkey and Patterson—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Proebstel called up house bill No. 247.

House bill No. 247 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Proebstel, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Adams, Clem, Mulkey, Patterson, and Porter—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Daly of Benton, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 15, 1899.

Mr. President:

Your committee on engrossed bills, to whom was referred senate bill No. 85, beg leave to report the same back to the senate as correctly engrossed.

JOHN D. DALY,
Chairman.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

EVENING SESSION.

SENATE CHAMBER,

SALEM, Oregon,

February 15, 1899.

The senate was called to order at 7:30 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Adams, Brownell and Patterson, who were excused.

This being the hour made a special order for the further consideration of senate bill No. 3, on motion of Senator Kuykendall, the senate arose and resolved itself into a committee of the whole for the consideration of the bill as amended.

Senator Michell was called to the chair.

After deliberation the committee arose and after the the senate was called to order, Senator Michell reported that the committee of the whole had finished the consideration of senate bill No. 3 as amended, and respectfully reported the same back to the senate with the recommendation that it do pass, amended to read as follows:

SENATE BILL NO. 3 AS AMENDED.

A bill for an act to provide for the establishment of a uniform and general system of public schools in Oregon, and to provide for the election, powers, duties and compensation of the state superintendent of public instruction, and to fix the beginning and end of the school year, and to repeal all of titles I and II, chapter XVI of the laws of Oregon, as compiled and annotated by W. Lair Hill, and to repeal an act entitled an act to encourage more thorough preparation of teachers for public school work in the state of Oregon, approved February 20, 1891, and to repeal an act entitled an act to provide suitable times for holding teachers' quarterly public examinations; to provide for the disposition of examination papers; and to amend sections 1 and 2 of an act entitled an act to provide suitable times for holding teachers' quarterly public examinations, legalizing outstanding indebtedness of school districts and authorizing the funding of the same by the issuance of bonds, and to repeal all acts and parts of acts in conflict herewith.

Be it enacted by the legislative assembly of the state of Oregon :

TITLE I — SUPERINTENDENT OF PUBLIC INSTRUCTION.

Section 1. The office of superintendent of public instruction in this state is hereby declared to be a separate and distinct office, and the present incumbent of said office shall hold the same during the term for which he has been elected, and until his successor is duly elected and qualified.

Section 2. A superintendent of public instruction shall be elected at the general election of the year 1902, and every four years thereafter, and shall qualify and enter upon the duties of his office on the second Monday in January following his election. He shall receive annually a salary of \$2,000, payable by the state as the salaries of other state officers are paid.

Section 3. He shall be provided with an office at the state capital, furnished with the necessary stationery, lights, fuel, etc., to be paid for by the state, as the expenses of other state officers are paid.

Section 4. *First* — It shall be the duty of the superintendent of public instruction to exercise a general superintendence of the county and district school officers and the public schools of this state.

Second — He shall visit, as far as practicable, every county in the state annually in the interest of education.

Third — He shall attend county institutes, when practicable, and shall assist in the organization and development of institute work in each county. He shall visit, as often as practicable, the principal schools of the state for the purpose of inspection and supervision; and he shall also keep statistics of the condition of schools, buildings, grounds, appurtenances, apparatus, libraries, the conduct and standing of pupils and methods of instruction, and the discipline and government of schools, etc.

Fourth—He shall visit in person, when practicable, all the chartered educational institutions of the state, and shall secure such statistical information relative to number of students, teachers, value of property, libraries, salaries and courses of study, as he may deem advisable for the advancement of education and for the information of the legislature.

Fifth—He shall prepare and distribute to the various county school superintendents in the state such a uniform series of blanks, registers, forms, rules and regulations as he may deem necessary for the administration of the school laws, and the secretary of state shall cause the same to be printed. County school superintendents shall receipt to the superintendent of public instruction for all supplies received, and distribute the same to the various district clerks, taking their receipts for the same.

Sixth—He shall act as secretary of the state board of education. He shall annotate and compile all school laws ordered published by the state board of education; said compilation shall include all blank forms necessary to secure a uniformity of system in the administration of the school laws throughout the state.

Seventh—He shall, whenever he may deem the same expedient, issue printed letters and circulars to school officers pertaining to any subject relative to the duties of teachers, directors, pupils, parents and guardians, the management of schools, and all other questions of general and special interest to the cause of education.

Eighth—He shall decide, without cost to the parties, all questions of doubt that may be submitted to him, and all disputes that may be appealed to him from the county school superintendents, concerning the proper administration of the school laws of this state, and of the rules and regulations of the state board of education, and concerning the ministerial duties of school officers and teachers, but he may, in his discretion, submit any such question or dispute to the state board of education, who shall then decide the same. The state superintendent, or the state board of education, may require the opinion, in writing, of the attorney-general concerning such questions or disputes, whose duty it shall be to give the same. The state board of education shall adopt reasonable rules of procedure to govern the submission of such questions and the trials and appeals provided for in this act. The decision of the state superintendent or of the state board of education, as herein provided, shall guide school officers and teachers in the discharge of their duties, in respect to the matters so decided; but this section shall not be construed to deprive any person of his ordinary remedy in a court of competent jurisdiction.

Ninth—He shall, once in each year, cause to be held a state teachers' association, at such time and place as in his judgment will best promote the general interests of education.

Tenth—He shall make out, quarterly, a statement of the necessary travelling expenses incurred in the discharge of his duties, which claims shall be audited and paid as other claims against the state; *provided*, that such sum shall not exceed \$900 per annum; *provided*, that no item of expense, for travelling or otherwise, shall be allowed unless evidenced by a proper voucher signed by the party to whom the amount was paid, and every such claim shall be verified by the superintendent of public instruction.

Section 5. The superintendent of public instruction shall report to the legislative assembly biennially, in the same manner and at the same time that other state officers make their reports. His report shall contain—

First.—The general condition of the public schools of the state.

Second.—The amount of school money apportioned among the several counties, and the sources whence such money was derived.

Third.—The amounts raised by county and district taxes, and the amounts paid for teachers' salaries, buildings, furniture, etc.

Fourth.—The series of textbooks authorized in accordance with the provisions of the law.

Fifth.—The rules and regulations prescribed by the state board for the government of public schools.

Sixth.—The number and grade of the schools in each county.

Seventh.—The number of persons between the ages of four and twenty years, the number attending public schools, the number attending private schools, and the number not attending any school.

Eighth.—Any and all information that, in his judgment, may be useful to the public and for the advancement of the educational interests of the state.

TITLE II—STATE BOARD OF EDUCATION.

Section 6. The governor, secretary of state and superintendent of public instruction shall constitute a state board of education.

Section 7. The meetings of the board shall be held semiannually, at the state capitol, on the first Monday in January and July. All needed stationery for the use of the board shall be furnished by the secretary of state, and any printing authorized by the board shall be done by the state printer, at rates allowed by law for other state work.

Section 8. The board shall have power—

1. To authorize such series of textbooks to be used in the public schools, as shall be adopted by the textbook commission.

2. To prepare a state course of studies for grammar-grade schools. The secretary of state shall cause the courses of study to be printed and the state superintendent shall send copies of the same to the various county superintendents, who shall properly distribute them to the boards of directors of the several districts, for use in public school work.

3. To prescribe a series of rules and regulations for the general government of public schools, and for the maintenance of discipline therein.

4. To use a common seal.

5. To order any printing that may be necessary to carry into effect the provisions of this act, said printing to be done by the state printer.

6. To grant state certificates and state diplomas to such persons as are found upon examination by the state board of examiners, hereinafter defined, to possess a good moral character, thorough scholarship and successful experience in teaching. The examination for state certificates and state diplomas shall be upon questions prepared by the state board of examiners; said questions shall be based on the textbooks adopted by the state and shall cover all the branches required for a first-grade county certificate, and in addition thereto, algebra, bookkeeping, composition, physical geography, physics and psychology; those for state diplomas, in addition to the foregoing, botany, plane geometry, general history and English literature. Examinations for state certificates and state diplomas shall be conducted in accordance with the rules and regulations adopted by the state board of education, consistent with the laws of the state.

A state certificate shall authorize the holder thereof to teach in any public school in the state for five years thereafter, and the state diploma shall confer a like authority for life. State certificates shall be granted to such applicants, only, who have had thirty months' teaching experience with approved success, at least nine of which shall be in the schools of Oregon, and who shall make an average of eighty-five per cent. in all the branches herein prescribed, and shall not fall below seventy per cent. in any one branch.

State diplomas shall be granted to such applicants, only, as have had at least sixty months' teaching experience with approved success, fifteen of which shall have been in the schools of Oregon, and shall have made an average of eighty-five per cent. in all branches herein prescribed, and shall not fall below seventy per cent. in any one branch. Any applicant for a state certificate or a state diploma who shall attain the required percentages in one or more of the designated branches, but shall fail in one or more of such branches, shall be credited with such required percentages and shall be

allowed to complete the examination in the remaining branches at the two following examinations, and shall then receive a state certificate or state diploma in accordance with the result of all the examinations.

Section 9. Applicants for a state certificate shall pay \$4, and for a state diploma \$6, which fee shall be paid by the superintendent of public instruction, within thirty days, to the state treasurer, taking his receipt therefor. All money so received by the state treasurer shall be credited to the state board of examiners fund. For the purpose of defraying the expenses of the state board of examiners for preparing questions and examining papers for state certificates and state diplomas, the state board of education shall draw an order on the state treasurer for such sums as may be necessary to defray such expenses; *provided*, that such sum shall not exceed the amount of the state board of examiners' fund in the state treasury.

Section 10. The state board of education shall appoint not less than four nor more than nine professional teachers to assist in the examinations for state papers, who shall be known as the state board of examiners, and the said teachers shall receive \$5 per day while engaged in their duties.

Section 11. The state board of education may, at its discretion, grant without examination state certificates and state diplomas to persons presenting authenticated papers from other states of grade and kind like those granted by the state board of education in this state; *provided*, that the state board of education is satisfied that said papers were secured by passing an examination equivalent to that given by the state board of education of this state for state papers; *provided*, that the state board of education may, at its discretion, grant a permit for one year to persons who hold papers of the grade and kind equivalent to a state certificate, but have not had the requisite amount of teaching experience in Oregon to secure a state certificate. A permit granted by the board shall authorize the holder to teach in any public school in the state. Applicants for state certificates and state diplomas must present certificates of good moral character and that they have taught successfully in their several counties, from the county superintendents of all the counties in which the applicant has taught for three years immediately preceding the time of making such application, but the state board, if otherwise satisfied as to the qualifications of said applicant, may grant the certificates or diplomas without certificates from the county superintendents. All persons holding such diplomas or certificates, before engaging to teach in any public school in this state, shall present such diploma or certificate to the superintendent of the county in which the holder proposes to teach, to be registered by the superintendent, and such holders of diplomas and certificates, while they remain in such county, shall attend institutes, assist in institute work and perform such other reasonable duties as may be required by the county superintendent, the same as other teachers of the county are required to do.

Section 12. If any holder of a diploma or of a certificate as aforesaid, shall refuse to perform his duties as herein specified, then it shall be the duty of the county superintendent to report such unprofessional conduct to the state board of education. The state board of education may revoke any certificate or diploma granted by it on the proof that the holder has been guilty of immoral conduct rendering him unfit to be a teacher; but before any revocation shall be made, the person accused shall have due and reasonable notice of the nature of the charge against him, and shall have an opportunity to be heard in person and by counsel, and to produce any witnesses whose testimony he may desire.

Section 13. The following diplomas shall be considered equivalent to the teaching experience required for a state certificate:

1. Diplomas from the regular state normal schools.
2. Diplomas from any normal schools in the state whose requirements for admission and graduation, including training school experience, are equal to that of the best Oregon state normal schools, as determined by the state board of education.

3. Diplomas from any chartered institution of this state of collegiate or university grade granted upon the completion of a course consisting of at least five years' work above the eighth grade of the public school system of this state, on the basis of twenty recitations per week and thirty-two weeks per year, the state board of education being the judge of the standard of such schools; *provided*, that this section shall not be so construed as to permit the issuance of any state certificate or state diploma without the examination provided for in section 8 of this act; *provided, further*, that no state certificate shall be granted under the provisions of this section to any person who is not twenty-one years of age.

4. Holders of state certificates granted under the provisions of this section may become candidates for a state diploma when they have taught thirty months with approved success from the date of their state certificate; *provided*, that this section shall not be so construed as to prevent the issuing of state diplomas to the pupils of state normal schools and chartered institutions who may graduate from such institutions before September 1, 1899, under the provisions of acts in force February 1, 1899.

Section 14. The proceedings of each session of the state board of education shall be published for general distribution, containing, in addition to the ordinary proceedings, the names of the successful applicants and the certificates granted.

TITLE III—COUNTY SCHOOL SUPERINTENDENT.

Section 15. There shall be elected by the legal voters of each county at the biennial election in the year 1900, and every four years thereafter, a county school superintendent who shall take his office on the first Monday in August following his election. He shall hold his office for four years, and until his successor is chosen and qualified. But the present office of the county superintendent of schools is not affected by this section until the election in the year 1900. No person shall be eligible to the office of county school superintendent who has not, at the time of his election or appointment, taught in the schools of the state at least nine school months, and who does not hold a first-grade county certificate, a state diploma or a state certificate in Oregon, and no county clerk shall place the name of a candidate for the office of county school superintendent on an official ballot unless said candidate shall furnish proof to such county clerk that said candidate has taught in the state for nine school months, and also holds one of the certificates as provided for in this act.

Section 16. The superintendent elect shall qualify on or before the first Monday in August, by taking an oath to support the constitution of the United States and of the state of Oregon, and to faithfully discharge the duties required of him by this act; said oath shall be reduced to writing, subscribed to and placed on file in the county clerk's office of his county.

Section 17. County superintendents of the several counties of this state shall receive as compensation for their services the following annual salaries, payable in the same manner as the salaries of other county officers are paid, and they shall receive no other compensation whatever:

Baker	\$1,200 00
Benton	1,000 00
Clackamas	1,000 00
Clatsop	600 00
Columbia	550 00
Coos	800 00
Crook	400 00
Curry	300 00
Douglas	1,000 00
Gilliam	500 00
Grant	700 00
Harney	500 00
Jackson	1,000 00
Josephine	400 00
Klamath	600 00

Lake	700 00
Lane	1,200 00
Lincoln	500 00
Linn	1,000 00
Malheur	600 00
Marion	
Morrow	800 00
Multnomah	1,500 00
Polk	1,000 00
Sherman	500 00
Tillamook	500 00
Umatilla	1,200 00
Union	1,350 00
Wallowa	800 00
Wasco	1,400 00
Washington	700 00
Yamhill	900 00

Section 18. He shall, before he enters upon the discharge of his duties, give to the county court an official bond, in such sum as the county court may direct, conditioned that he will faithfully and honestly perform all the duties required of him by this act.

Section 19. The duties of the superintendent shall be as follows :

1. The superintendent and the county court, or the board of commissioners in counties where this board is a separate body, shall constitute a board for laying off his county in convenient school districts, such board to be styled the district boundary board. Said board shall make alterations and changes in the same when petitioned so to do, in the manner hereinafter specified ; and the superintendent shall make a record showing the boundaries and numbers of all the districts in his county so established and organized. The county judge shall be *ex officio* chairman of said board and the superintendent *ex officio* secretary, except, where the board of county commissioners is a separate body, the chairman of the board shall be chairman. The superintendent and two members of the county board shall constitute a quorum for the transaction of business.

2. When the district boundary board shall have established a new district, the superintendent shall notify, in writing, three of the petitioners in said district, who petitioned therefor, giving in said notice the number and boundaries thereof ; and when alterations are made by the said board the superintendent shall notify, immediately, in the manner aforesaid, the directors of all the districts concerned.

3. He shall, on the first Monday in January, April, July and October in each year, make an apportionment of the entire school fund then in the county treasury, in the following manner : Of the school fund collected in pursuance of the school tax levy of the county court, he shall, in January, apportion \$50 to each district in his county that has reported to him as required by law ; and the balance of the school funds thereafter remaining in the treasury shall be apportioned among the several districts in his county that have reported to him as required by law, in proportion to the number of persons in each district over four and under twenty years of age, as shown by the last school census. If, after the making of the apportionment in January, there shall not be sufficient of the county funds to make the required \$50 to each district, he shall apportion the whole amount of such fund in equal sums among the several districts as have reported as required by law, and at the next regular apportionment when there is money in the treasury sufficient for the purpose, he shall apportion to each such a sum as will make up the required \$50 for that year, and the balance as hereinbefore specified ; *provided*, that in a joint district the sum of \$50 herein required to be paid to each school district in a county before any part of the county school fund is otherwise apportioned, said \$50 shall be paid to such joint district by the counties in which it lies in proportion to the number of school children in each county residing in such district over four and under twenty years of age, as shown by the last annual school census. As soon as he shall have made such apportionment he shall draw

warrants on the county treasurer in favor of the districts for their respective shares, and transmit the same to the clerks thereof; *provided*, that the superintendent shall not issue or transmit any such warrant to the clerk of any district until the clerk's bond shall have been received, examined and approved by the county superintendent, and filed by him in his office as a part of the records thereof.

4. He shall keep a book in which he shall open an account with the treasurer of his county, also with the several districts. He shall charge the treasurer with all the school funds going into his hands, and when the treasurer shall present to him the district clerk's receipts, he shall credit the treasurer with the amount. When the superintendent shall have made any apportionment of the school funds he shall credit each district with the amount set apart to it, and on receiving the receipt of a clerk of a district from the treasurer, he shall charge the amount to such district.

5. In every examination held hereafter, any applicant for a teacher's county certificate shall be examined in the following named branches: Orthography, reading, writing, mental arithmetic, written arithmetic, English grammar, geography, United States history, theory of teaching, physiology and hygiene, civil government and Oregon school law; *provided*, that until the examination to be held in February, 1900, applicants shall not be examined in civil government and Oregon school law.

6. In each county there shall be a board of county examiners, composed of the county superintendent, who shall be *ex officio* chairman, and two competent persons appointed by the county superintendent, for such time within the term of his office as he may designate. Each member of said board, two of whom shall constitute a quorum, shall receive the sum of three dollars a day, except the county school superintendent, for the time actually employed in conducting the examination herein provided for. Any claim for compensation for services under this act shall be certified to by the board and audited by the county court, and paid out of the general fund of the county.

7. Commencing at 9 o'clock on the second Wednesday of the following months, viz., April and August, and continuing three days, the board of examiners for each county shall hold a public examination of applicants for teachers' county certificates for such county, using the questions prepared by the state board of examiners, following the programme prescribed by the state board of education, at such place in the county as may be designated by the superintendent. Neither the county board of examiners, nor any member thereof, shall at any time grant a private examination to an applicant for a teacher's certificate, except for a temporary permit, as hereinafter provided. At least ten days' notice by a publication in a newspaper, if there be one published in the county, shall be given by the superintendent, at the expense of the county, of all examinations. The board of examiners shall issue certificates of such general form as the state board of education may prescribe to all such applicants as are found upon examination to possess a good, moral character, requisite scholarship and ability to teach and govern successfully. There shall be three grades of certificates granted by the board, at its discretion, and subject to such rules and regulations as the state board of education may prescribe, which grades of certificates shall be as follows: The certificate of the first grade shall be granted only to those who are over eighteen years of age and have taught twelve school months with approved success; and shall be valid throughout the county for three years. To obtain the same, an applicant shall make a general average of not less than ninety per cent. of all branches prescribed by law, and shall not fall below seventy per cent. in any one branch; *provided*, that whenever an applicant has upon two successive examinations received ninety per cent. or more in one or more branches, said applicant may, in the next examination thereafter, be excused from examination upon such branches and be credited with the standing so earned; *provided*, that the county superintendent may indorse a first-

grade certificate in force in any other county in the state without examination, and said endorsement shall render the said certificate valid in his county during the validity of the original certificate; *provided*, that the superintendent shall have power to revoke said certificate for the same cause and in like manner as those granted by the county board of examiners of his county; *provided*, that in all cases where a certificate is endorsed, it shall be registered in the office of the county superintendent of such other county, in a book provided for such purpose. The date of such registration must be endorsed by the superintendent on the back of the certificate, and without such registration and endorsement no first-grade certificate shall be valid in any county except the one for which it was issued. A fee of \$1 shall be paid to the superintendent by the teacher whose certificate is registered and endorsed, as herein provided, which sum he shall pay within ninety days to the county treasurer, taking his receipt therefor. All money so collected shall become a part of the county institute fund.

A certificate of the second grade shall be granted only to those who have attained to the age of eighteen years and have taught at least three school months with ability and success, and shall be valid throughout the county for two years. To obtain the same an applicant shall make an average of not less than eighty per cent. in all branches prescribed by law and shall not fall below sixty per cent. in any one branch. Such certificate shall not be renewed, nor shall any person be entitled to receive more than one second-grade in any one county; *provided*, that more than one second-grade certificate may be issued to the same person in a county on a regular public examination, as herein set forth, if such person has not had the requisite experience for a first-grade certificate.

A certificate of the third grade shall be issued only to those who have attained the age of seventeen years. Such certificate shall be valid for one year. To obtain the same an applicant shall make an average of not less than seventy per cent. in all branches prescribed by law, and shall not fall below fifty-five per cent. in any one branch. Such certificates shall not be renewed, nor shall any person be entitled to receive more than one third-grade certificate in any one county; *provided*, that more than one third-grade certificate may be issued to the same person on a regular examination as here set forth, if such person has not had the requisite teaching experience required for a second-grade certificate.

A certificate to be known as a primary certificate shall be issued to applicants therefor upon passing an examination upon the subjects of reading, writing, orthography, the art of questioning, theory and practice of teaching and methods, which certificate shall authorize the bearer to teach in the primary departments of the state, not beyond the third grade; *provided*, the applicant pass such examination with an average of eighty-five per cent.; *provided*, that such teacher shall only be authorized to teach in a graded school as an assistant teacher.

A temporary permit may be issued by the county superintendent in case of necessity, valid only in the county where issued, and valid only until the next regular public examination held by the county board of examiners for such county. A teacher shall not be entitled to receive more than two temporary permits in a county, nor shall an applicant who failed at the last regular public examination held by the board of examiners for any county be entitled to receive a temporary permit for that or any other county in the state; *provided*, that a fee of two dollars and fifty cents (\$2.50) for each temporary permit shall be paid by the applicant to the county school superintendent, who shall pay the same to the county treasurer, taking his receipt therefor, and all such fees shall be placed to the credit of the county institute fund.

8. All examination papers for certificates shall be kept on file in the county superintendent's office, as a part of the records thereof, for one year from the date of such examination.

9. On the first day of any county examination herein provided for, each

applicant for a county teacher's certificate shall pay to the county superintendent a fee of \$2, which shall be paid by him, within fifteen days, to the county treasurer, taking his receipt therefor. All money so received by the county treasurer shall become a part of the county institute fund ; *provided*, that in no case in which an applicant shall fail to receive a certificate shall the fee be refunded.

10. He shall submit the questions prepared by the state board of examiners to applicants for state papers, according to such rules and regulations and at such times as may be prescribed by the state board of education, and shall conduct the examination, and shall immediately at the close of the examination transmit all such examination papers unmarked to the superintendent of public instruction, who shall submit them to the state board of examiners for grading.

11. He shall visit the schools taught in his county at least once every year and seek to aid, instruct and inspire teachers to employ the best methods in teaching, governing and conducting their schools; and he shall, if necessary, secure the proper classification of pupils, enforcement of courses of study and the care and protection of school property.

12. He shall study to awaken among parents and children a deeper interest in the public schools, so as to secure improved attendance, deportment and scholarship of pupils and more frequent visits of parents and school directors. He shall carefully observe the condition of the schoolhouses and surroundings, note all defects and notify the board of directors of the same. He shall receive the reports of all the districts of his county, and shall, by the fourth Monday of July of each year, make out from the records of his office a general report, adding such suggestions thereto as he may deem of importance to the cause of education, and transmit the same to the superintendent of public instruction, retaining a copy thereof in his office.

13. He shall hear, examine and decide appeals from district officers and teachers, without cost to the appellants, and subject to an appeal to the superintendent of public instruction.

14. He shall enforce the course of study for county schools prescribed by law.

15. He shall keep in a suitable book an official record of all persons under contract to teach in his county, showing the number of the school district and date of the contract, the names of the contracting parties, the salary paid, the date of commencing school thereof and the length of term in weeks.

16. He shall make special report of important matters relating to the public schools in his county when necessary and when required by the superintendent of public instruction.

17. He shall have power to appoint a deputy whenever the same may become expedient and necessary, but no salary shall be paid such deputy out of the public school or general fund of the county.

18. He shall advise and consult with boards of directors relative to the construction, warming, ventilation and arrangement of schoolhouses, the improving and adorning of schoolgrounds, methods of instruction and discipline in the school, and the conditions of schoolhouses, sites and out-buildings and appendages of the district generally.

19. He shall use a uniform series of blank reports, registers, receipts, etc.

20. He shall organize and hold at least three local institutes and educational meetings in various parts of the county at such times and places as he may deem most expedient, and he shall secure at these meetings, as far as practicable, the attendance and coöperation of school officers, teachers and parents.

21. The county superintendent shall hold annually a teachers' county institute for a term of not less than three days for the instruction of teachers and those desiring to teach, and all teachers in the public schools of his county shall be required to attend, and the county superintendent may, at

his discretion, revoke the certificate, reduce the grade or refuse to grant a certificate to any teacher who refuses to attend the county institute without cause. The county superintendent shall receive the assistance and coöperation of the superintendent of public instruction in holding annual institutes. Every teacher attending any annual county institute held in accordance with the provisions of this act shall be given by the county superintendent a certificate, setting forth at what sessions of said institute such teacher shall have been in attendance, and any teacher who shall have closed his or her school for not more than three days in order to attend said institute shall not forfeit his or her wages as teacher during such time as he or she shall have been in attendance at said institute, and the certificate hereinbefore provided shall be in evidence of such attendance; *provided*, that if the institute is held during the session of school that such directors shall be required to grant three days' time of actual service to their teachers to attend the said institute, during which time their pay as teachers shall continue. For the purpose of defraying the expenses of the institute, the county superintendent shall draw an order on the county treasurer for such sums as may be necessary to defray the expenses of said institute, which sum the county treasurer shall pay; *provided*, that such sum shall not exceed the amount of institute fund in the county treasury. The county clerk shall audit the annual institute account of the county superintendent, which account shall be filed in the county clerk's office.

Section 20. The county commissioners shall provide the county superintendent with a plat of the boundaries of the several school districts of this county. The county commissioners shall also provide the county school superintendent with all necessary blanks, blank books, stationery, postage, expressage and other expenses of his office, not otherwise provided for, which said expense shall be paid from the general fund of the county.

Section 21. In case of a vacancy in the office of county superintendent, the county court of the county shall appoint some legally qualified person to fill the unexpired term.

Section 22. The county courts of the several counties of this state are hereby required to levy at the same time they levy other taxes, a tax upon all taxable property in their county, for school purposes, of five mills on the dollar, which shall be collected at the same time, in the same manner and by the same officers that other taxes are collected.

Section 23. The county treasurer of each county shall make annual exhibits of all school funds coming into and paid out of the treasury. He shall also retain and produce all the superintendent's orders by him paid off, on the yearly settlement with the county superintendent.

Section 24. All of titles I and II, chapter XVI of the laws of Oregon, as compiled and annotated by W. Lair Hill, and an act entitled "An act to encourage more thorough preparation of teachers for public school work in the state of Oregon," approved February 20, 1891, and an act entitled "An act to provide suitable times for holding teachers' quarterly public examinations; to provide for the disposition of examination papers, and to amend sections 1 and 2 of an act entitled 'An act to provide suitable times for holding teachers' quarterly public examinations,'" and all acts and parts of acts in conflict herewith, are hereby repealed.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Cameron, Clem, Daly of Benton, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Michell, Mulkey, Porter, Proebstel, Smith and Wade—20.

Nays—Senators Bates, Howe, Mackay, Selling and Mr. President—5.

Absent—Senators Brownell, Daly of Lake, Morrow, Patterson and Reed—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, the chief clerk was instructed to correct title and number of sections.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 15, 1899.)

Mr. President:

I am directed by the speaker to inform you that he has signed senate bills Nos. 175, 107, 228, 53, 32 and 141.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 15, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 136.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 15, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 11, authorizing the board of horticulture to have four thousand extra copies of their report.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 234, a bill for an act to provide for the taxing of bicycles.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 10 with the amendment hereto attached.

AMENDMENT.

Provided, that the session of Saturday shall be only for the signing of enrolled bills by the speaker of the house and president of the senate, and shall not be considered a legislative day under the joint rules.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Selling, the senate concurred in the amendments to senate concurrent resolution No. 10 adopted by the house.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 384, a bill for an act to authorize Alkali to issue bonds.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate bills Nos. 175, 107, 228, 53, 32 and 141, and soon thereafter stated that he had signed the same.

Unanimous consent being given, Senator Mackay called up house bill No. 166.

Senator Mackay moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Porter, Mulkey, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Adams, Brownell, Morrow and Patterson—4.

So the rules were suspended and the bill was read second time by title only and referred to the committee on insurance and banking, with leave to report at any time.

On motion of Senator Selling, the vote whereby the senate passed senate resolution No. 18 was reconsidered.

Senator Selling moved to amend the resolution to allow each officer the same per diem as allowed at the [special] session.

The motion prevailed.

On motion of Senator Selling senate resolution No. 18 was adopted as amended.

The president appointed Senators Reed and Brownell as members of the committee as provided under senate resolution No. 18.

Unanimous consent being given, Senator Daly of Benton, called up house bill No. 241.

House bill No. 241 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—24.

Nays—None.

Absent—Senators Brownell, Fulton, Howe, Michell, Morrow and Reed—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Harmon called up house bill No. 79.

Senator Harmon moved that the rules be suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Proebstel, Selling, Smith, Wade and Mr. President—23.

Nays—None.

Absent—Senators Brownell, Daly of Lake, Harmon, Morrow, Patterson, Porter and Reed—7.

So the rules were suspended and the bill read second time by title only, and referred to the committee on assessment and taxation.

Senate bill No. 173 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—Senator Howe.

Absent—Senators Brownell, Clem and Morrow—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 146 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Clem, Fulton and Patterson—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 149 was read third time.

Senator Selling moved that further consideration of senate bill No. 149 be indefinitely postponed.

The motion was lost.

On motion of Senator Fulton, senate bill No. 149 was made a special order for 3 o'clock p. m. tomorrow.

Senator Driver was excused.

Senate bill No. 154 coming on for third reading, on motion of Senator Fulton the bill was laid on the table.

Senate bill No. 176 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—24.

Nays—None.

Absent—Senators Brownell, Driver, Harmon, Morrow Mulkey and Patterson—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 180 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—23.

Nays—None.

Absent—Senators Brownell, Clem, Driver, Harmon, Howe, Morrow and Mulkey—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, the title was corrected by inserting the word "against" in lieu of "by."

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bill No. 231.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate bill No. 231, and soon thereafter stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 12, requiring the secretary of state to furnish the state printer with copies of the proceedings of the legislative assembly.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 76, a bill for an act to provide for the election of a supervisor.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 166 was read third time.

On motion of Senator Smith, senate bill No. 166 was laid on the table.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 307, a bill for an act providing for care and management of Wilson avenue in the city of Salem, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 15, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 319, a bill for an act authorizing the governor to appoint an agent to select lands donated to the state by the United States.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 33 was read third time.

Unanimous consent being given, the chief clerk was instructed to strike out the word "July" in line 10, and insert "October" after "September"; in line 13, after the word "or" insert the the word "Mongolian."

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Driver and Morrow—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 15, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 202, a bill for an act relating to the distribution of real property of deceased persons.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 248, a bill for an act to limit the time during which taxes and municipal assessments against land shall remain a lien thereon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

The president called Senator Reed to the chair.

Senate bill No. 118 was read third time.

Senator Mackay demanded a call of the senate.

The roll was called, and those present were Senators Adams, Bates, Cameron, Clem, Daly of Benton, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Reed, Selling, Smith, Wade and Mr. President—23.

Absent—Senators Brownell, Daly of Lake, Driver, Kelly, Kuykendall, Morrow and Proebstel—7.

Senators Daly of Lake and Kuykendall were noted present.

On motion of Senator Mackay, further proceedings under call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Cameron, Daly of Benton, Dufur, Harmon, Haseltine, Josephi, Kuykendall, Mackay, Michell, Mulkey, Porter, Reed and Smith—14.

Nays—Senators Adams, Clem, Daly of Lake, Fulton, Haines, Howe, Looney, Proebstel, Selling, Wade and Mr. President—11

Absent—Senators Brownell, Driver, Kelly, Morrow and Patterson—5.

So the bill failed to pass.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 263, a bill for an act to regulate building and loan associations.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 382, a bill for an act providing for the payment of certain specified claims against the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 187, a bill for an act to protect sheep husbandry.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 372, a bill for an act to provide for the ordinary expenses of the state government.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has

passed house bill No. 80, a bill for an act to improve the wagon road on Wallowa hill, in Union county.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 135, a bill for an act to amend section 3456 of chapter XIII of title IV of the miscellaneous laws of Oregon, relating to the election of county officers.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senate bill No. 234 coming on for third reading, on motion of Senator Mulkey further consideration of the bill was indefinitely postponed.

Senate bill No. 85 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Driver, Looney, Morrow and Patterson—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 298, a bill for an act to authorize corporations to extend their boundary lines.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Kuykendall called up house bill No. 288.

Senator Kuykendall moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Mulkey, Porter, Proebstel, Reed, Selling, Smith Wade and Mr. President—25

Nays—None.

Absent—Senators Brownell, Driver, Looney, Morrow and Patterson—5.

So the rules were suspended and the bill was read second time by title only and referred to the committee on medicine, pharmacy and dentistry, with leave to report at any time.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 283, a bill for an act relating to executions in civil cases.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Mulkey introduced senate resolution No. 19.

SENATE RESOLUTION NO. 19.

Whereas, the present statute defining the duties and fixing the compensation of the state printer permits exorbitant prices, far in excess of ruling commercial rates, to be charged for work performed for the state, and fails to fix a just compensation and limit for the miscellaneous printing for the legislature and the several departments of state, thereby permitting a waste of public money; be it

Resolved, that a special committee of three members of the senate be appointed by the president, whose duty it shall be to report to the next suc-

ceeding senate a bill amending and changing the present statute defining the duties and fixing the compensation of the state printer in such a manner as to cover all the printing done for the state and insure good work at reasonable rates; and for the purpose of securing information, facts and figures about the said printing and the cost of doing the work, the secretary of state and state printer are hereby authorized and directed to grant the said committee access to all work, bills and records in their possession and on file in the office of the secretary of state and the state printer; and said committee shall make a report with the proposed bill setting forth in detail the present methods of doing the state printing, of what it consists, its cost to the state, and all other facts concerning the said printing that make a change in the present law necessary and economical.

On motion of Senator Mulkey, the resolution was adopted.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

THURSDAY, FEBRUARY 16, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1899. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all of the senators were present.

The morning session of the senate was opened with prayer by Rev. John Parsons, D. D., of Salem, Oregon.

On motion of Senator Michell, the reading of the journal of yesterday's proceedings was dispensed with.

Unanimous consent being given, Senator Dufur called up house bill No. 153.

House bill No. 153 was read third time.

Senator Dufur demanded a call of the senate.

The roll was called, and those present were Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—26.

Absent—Senators Daly of Lake, Kelly, Mulkey and Reed—4.

Senators Daly of Lake and Reed were noted present.

On motion of Senator Dufur further proceedings under call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Patterson, Porter, Proebstel, Reed, Selling and Wade—22.

Nays—Senators Michell, Morrow, Smith and Mr. President—4.

Absent—Senators Clem, Daly of Lake, Kelly and Mulkey—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 383, a special appropriation bill.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Kuykendall introduced senate joint resolution No. 17.

SENATE JOINT RESOLUTION NO. 17.

Whereas, there is now in the state treasury, according to the report of that office for the biennial term ending December 31, 1898, an unexpended balance of \$15,919.34 of the money heretofore levied and collected for university purposes under an act entitled "An act to aid in the support of the university of Oregon," approved October 17, 1882, as amended by an act filed in the office of the secretary of state February 25, 1889; and

Whereas, although such money was levied and collected exclusively for university purposes and cannot be legally put to any other use, the terms of the law under which the same was levied and collected are such as to render doubtful whether it can be used for purposes other than the support and maintenance of the university and to keep the buildings, grounds and other property thereof in repair and to make needed improvements thereto; and

Whereas, the same is not needed for such purposes, but is needed for use in the construction of additional university buildings to supply the demands of such institution; therefore, be it

Resolved by the senate, the house concurring, that the regents of the university be and they are hereby authorized and empowered to use the said sum of \$15,919.34 for the construction of such additional building or buildings as may be deemed necessary, and the secretary of state is hereby authorized and directed to draw his warrant in favor of the treasurer of the

board of regents for such amount, or for any portion thereof, when requested so to do by the president of such board, and the state treasurer is hereby authorized and empowered to pay such warrants out of the fund aforesaid.

Senator Kuykendall moved the adoption of the resolution.

Senator Selling moved to amend the motion by referring senate joint resolution No. 17 to the committee on ways and means, with leave to report at any time.

The motion to amend was lost.

On the motion to adopt senate joint resolution No. 17 the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Harmon, Josephi, Kelly, Kuykendall, Looney, Mulkey, Porter, Proebstel, Smith, Wade and Mr. President—19.

Nays—Senators Adams, Bates, Haines, Haseltine, Howe, Mackay, Patterson and Selling—8.

Absent—Senators Michell, Morrow and Reed—3.

So senate joint resolution No. 17 was adopted.

On motion of Senator Daly of Lake, the courtesies of the senate were extended to Hon. N. L. Butler, and he was invited to a seat within the bar.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bills Nos. 14, 27, 61, 177 and 83.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate bills Nos. 14, 27, 61, 177 and 183, and soon thereafter stated that he had signed the same.

Unanimous consent being given, Senator Fulton, chairman of the special committee appointed to visit the state university under authority of house concurrent resolution No. 11, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1899. }

Mr. President:

Your special committee, appointed to visit and investigate the state university at Eugene, respectfully report as follows :

We visited the university on the — instant. We met the faculty and students and visited quite a number of the class rooms when the classes were assembled. There are enrolled one hundred and seventy-one students, but the attendance at present is some four or five less.

Fourteen professors are employed, at salaries ranging from \$1,100 to \$2,000 per annum, and in addition thereto is the president, who receives a salary of \$3,000 per annum.

The students come from every part of the state, there being three or four counties of the state unrepresented.

Generally speaking, the faculty seems composed of able and capable men, several of them being men of exceptional capacity, attainments and fitness for their work. It has been publicly stated that professors have secured positions in the institution through political influence and as a reward for political services performed, and that positions in the institution have been used largely for political purposes.

In a broad sense the charge is without foundation. We are disposed to believe that in one, and possibly two instances, present members of the faculty were employed rather as a reward for political services rendered, than because of eminent fitness for the positions, but we are not prepared to say that the efficiency of the school has been impaired thereby. On the whole, it seemed to us, that the work being done in the school is excellent. The pupils seem bright, wideawake and industrious; the curriculum is commendable, and we are impressed with the belief that those in attendance could not be doing better.

We find that there is no foundation for the frequently repeated statement that the people of Eugene are using or desire to use the university as a local high school. On the contrary, Eugene maintains its own high school and all indications are, it will continue so to do. We do not consider the salaries paid too great. Capable educators cannot be secured for less.

It is regretable that the advantages afforded by the university are not more largely enjoyed, and in this connection we cannot refrain from suggesting that, in our judgment, the faculty is partly responsible for the small patronage the school is having, in this, that the members thereof have not cultivated a more intimate acquaintance with those in charge of the common school work of the state. There is no reason why the youth of Oregon should go beyond the state to secure a university education, and we believe they would not were it more widely known and understood that the advantages offered at the University of Oregon, if not equal to any other, are all that anyone requires. The members of the faculty should be the leaders of educational thought and work within this state; should form and mould public sentiment on these lines, and, to that end, they should bring themselves more closely in touch with the educational system of the state. They should visit and aid in conducting county, district and state institutes, and thereby assist, not only in giving an impetus to educational work and in lifting it to a higher plane, but also in popularizing the school they represent. This we suggest not in the way of unfriendly criticism, but in the interest of the people of this state and of an institution supported by the taxpayers, and which should be made, if possible, to answer their expectations and hopes.

C. W. FULTON,
Chairman of senate committee.
CLARENCE BUTT,
Chairman of house committee.

The report was received and placed on file.

House bill No. 263 being made a special order for 11 o'clock a. m. today, the same was taken up for further consideration.

On motion of Senator Porter, the bill was recommitted to the committee on judiciary, with leave to report at any time.

Unanimous consent being given, Senator Selling called up house bill No. 372.

Senator Selling moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Reed—2.

So the rules were suspended and the bill was read first time by title only.

Senator Selling moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Morrow and Reed—2.

So the rules were suspended and the bill was read second time by title only.

On motion of Senator Mulkey the senate arose and resolved itself into a committee of the whole for the consideration of house bill No. 372.

Senator Michell was called to the chair.

The committee of the whole arose, and Senator Michell, chairman, after the senate was called to order, reported progress from the committee, and asked for further time.

The report of the committee was received, and the committee was granted further time.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1899.)

Mr. President:

I am directed by the speaker to inform you that he has signed house bills Nos. 57, 249 and 352.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 237.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 20, pertaining to state taxes of Oregon and California Railroad Company, in Jackson county.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 20.

Whereas, the Oregon and California Railroad Company has refused to pay taxes on a considerable part of the assessed valuation of its lands and roadbed in Jackson county, Oregon; and

Whereas, the state taxes on that part of its assessment which it has refused to pay on amounts to the sum of \$8,819.81 for the years 1896, 1897 and 1898, of which amount Jackson county has already advanced and paid into the state treasury the sum of \$2,582.13; and

Whereas, the question of said railroad company's liability to pay any part of said sum is now involved in the result of a suit now pending in the supreme court of Oregon; therefore, be it

Resolved by the house of representatives, the senate concurring, That Jackson county, Oregon, be and it is hereby relieved from the payment of any state taxes on that part of said railroad company's assessment in said county, which is involved in or affected by such pending litigation; *provided*, that said Jackson county shall promptly pay into the state treasury as soon as said suit is determined, such amount of state taxes as the courts shall finally determine the said railroad company should pay on the disputed part of its assessments in said county.

Senator Dufur moved that the senate concur in house concurrent resolution No. 20.

Senator Josephi moved to amend the motion by referring house concurrent resolution No. 20 to the committee on assessment and taxation, with leave to report at any time.

The motion to amend prevailed.

The motion as amended prevailed.

Unanimous consent being given, Senator Haines, chairman of the committee on penal institutions, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 16, 1899.

Mr. President :

Your committee on penal institutions, to whom was referred the within memorial from committee representing the Catholic Ladies' Social and Relief Society, of Salem, beg leave to report that we have had the same under consideration, and that we have visited the penitentiary, and the apartments occupied by the female inmates, and find as stated in the memorial that there is no room for exercise, and no employment; while the room is light, it is so situated that the sun never shines therein. Upon careful examination we find that there is no suitable place at the penitentiary for these people except at a very large expense. They report to us that they are well treated, and have no complaint to offer except as to their confinement without exercise or occupation.

Your committee are of the opinion that these people might be removed from the penitentiary, either to apartments at the asylum or reform school, where they might be properly cared for and be furnished with some employment and still be permitted to breathe the open air.

Your committee would therefore recommend that the governor be authorized and empowered to make suitable provision therefor, and to remove said convicts to either of the aforesaid places that he may deem best.

E. W. HAINES,
Chairman.

Unanimous consent being given, Senator Haines introduced senate joint resolution No. 18.

SENATE JOINT RESOLUTION NO. 18.

Be it resolved by the senate, the house concurring, That the governor be and is hereby authorized and empowered to make suitable provisions and arrangements for the removal of the female convicts from the state penitentiary to apartments in either the asylum or the reform school, as he may deem best, and to remove said convicts when such apartments are provided, and to use such reasonable sum of money for such improvements as shall be necessary.

Senator Haines moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Cameron, Clem, Daly of Benton, Driver, Haines, Haseltine, Kelly, Looney, Mackay, Michell and Wade—12.

Nays—Senators Adams, Daly of Lake, Dufur, Fulton, Harmon, Howe, Josephi, Morrow, Patterson, Porter, Proebstel, Reed, Selling, Smith and Mr. President—15.

Absent—Senators Brownell, Kuykendall and Mulkey—3.

So the senate refused to adopt senate joint resolution No. 18.

The president announced that he was about to sign house bills Nos. 57, 249 and 352, and soon thereafter stated that he had signed the same.

On motion of Senator Kelly, the senate adjourned.

S. L. MOORHEAD
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1899. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present.

On motion of Senator Daly of Lake, the courtesies of the senate were extended to Hon. W. R. King, and he was invited to a seat within the bar.

Senator Daly of Lake, chairman of the committee on medicine, pharmacy and dentistry, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1899. }

Mr. President:

Your committee on medicine, pharmacy and dentistry, to whom was referred house bill No. 288, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. DALY,
Chairman.

House bill No. 288 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—Senator Mulkey.

Absent—Senators Dufur and Kelly—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 362, a bill for an act to provide for the appropriation of the water of lakes and rivers.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 227, a bill for an act relating to chattel mortgages and recording them.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 15, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 330, a bill for an act to fix the salary of the assessor of Linn county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 8, appointing a committee to represent Oregon at the Paris exposition.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE JOINT RESOLUTION NO. 8.

Resolved by the house, the senate concurring, That the following named persons be and they are hereby constituted and appointed a commission to represent the state of Oregon at the Paris exposition, and shall be known and designated as the Oregon Paris Exposition Commission, to wit: Phil. Metschan, Alex. Gilbert, B. S. Pague, T. G. Reams, L. B. Reeder and Mrs. Amelia de F. Smith. The governor of Oregon shall issue to each of said commissioners a commission, under seal of the state of Oregon, authorizing and empowering them to represent the state of Oregon at said Paris exposition, said commissioners to serve without pay or any expense to the state.

Senator Fulton moved that the senate concur in house joint resolution No. 8.

Senator Selling moved that house joint resolution No. 8 be laid on the table.

The motion to lay on the table was lost.

Senator Reed submitted the following amendment:

Amend house joint resolution No. 8 by striking out the first seven lines and substituting therefor the following:

Resolved by the house, the senate concurring, That the governor of the state of Oregon be and he is hereby authorized and empowered to appoint six persons, residents of the state of Oregon, to act and serve as commissioners from the state of Oregon, at the exposition to be held in Paris, France, in the year 1900.

Senator Reed moved the adoption of the resolution as amended.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Fulton, Haines, Kelly, Kuykendall, Mackay, Michell, Mulkey, Reed, Smith and Mr. President—16.

Nays—Senators Daly of Lake, Haseltine, Josephi, Morrow, Porter, Proebstel, Selling and Wade—8.

Absent—Senators Adams, Dufur, Harmon, Howe, Looney and Patterson—6.

So the senate concurred in house joint resolution No. 8, as amended.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bill No. 273.

And the same is herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Kuykendall introduced senate concurrent resolution No. 14.

SENATE CONCURRENT RESOLUTION NO. 14.

Resolved by the senate, the house concurring, That the secretary of state be and he is hereby authorized and directed to procure the manuscripts of the addresses of Hon. Geo. H. Williams, on the early political history of Oregon, from 1853 to 1865; of Hon. Wm. P. Lord, on the judiciary; of the Hon. L. B. Cox, on the relation of the legislature to the constitution, and of Mrs. A. S. Duniway, on the influence of pioneer women in the making of Oregon, and have the same printed in pamphlet form, together with the programme of the day, and such explanatory matter as may be necessary to properly record the proceedings held in honor of the fortieth anniversary of the admission of the state to the Union, at the legislative halls on the fourteenth day of February, 1899. The additional matter above mentioned shall not exceed ten pages in amount, and the secretary of state is hereby instructed to distribute the above pamphlet as follows: Two copies to each member of the legislative assembly; one hundred copies to the Oregon historical society, and the balance to such persons as may be entitled to the session laws of Oregon.

On motion of Senator Kuykendall, senate concurrent resolution No. 14 was adopted.

Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 16, 1899.)

Your committee on fishing industries, to whom was referred house bill No. 118, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. REED,
Chairman.

Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 16, 1899.)

Your committee on fishing industries, to whom was referred house bill No. 346, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. REED,
Chairman.

Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 16, 1899.)

Your committee on fishing industries, to whom was referred house bill No. 297, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Strike out after the enacting clause all of said bill, and insert the following:

Section 1. That section 1 of an act of the legislative assembly of the state of Oregon, approved October 18, 1898, entitled "An act to provide for the propagation and protection of chinook, steelhead, blueback, silverside and all other species of salmon fish, sturgeon and other food fishes in the rivers and waters of the state of Oregon, and in all rivers and waters over which the state of Oregon has concurrent jurisdiction; and to license and regulate all persons engaged in taking and catching such fish in such waters; and to license and regulate fishtraps, poundnets, gillnets, fish-

wheels, seines and also all devices and appliances and gear used for catching and taking such fish in such waters ; also to license and regulate all persons engaged in canning, packing, storing or in any manner dealing in such fish, and to provide for the appointment of a fish commissioner and the appointment of deputy fish commissioners, and also a fish commission, and defining their duties and fixing their compensation ; also to provide for the disposition of the funds arising from the collection of such licenses ; and to provide for the establishment of fish hatcheries ; also to repeal sections 3482, 3483, 3484, 3485, 3486, 3487 and 3488 of title I, chapter XLII of Hill's annotated laws of Oregon ; also to repeal sections 3499, 3500, 3501, 3502, 3503, 3504 and 3505 of title III of chapter XLII of Hill's annotated laws of Oregon ; also to repeal an act passed by the legislative assembly of the state of Oregon and approved February 16, 1891, entitled "An act to protect salmon and other food fishes in the state of Oregon, and upon all waters upon which this state has concurrent jurisdiction, and to repeal sections 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497 and 3498 of Hill's annotated laws of Oregon"; also to repeal an act of the legislative assembly of the state of Oregon filed in the office of the secretary of state February 16, 1891, entitled "An act to protect and promote the fishing industry of the state of Oregon and to collect money from certain persons engaged in said industry, to be used to protect and promote the same"; also to repeal an act of the legislative assembly of the state of Oregon filed in the office of the secretary of state February 20, 1891, entitled "An act to regulate salmon and sturgeon fishing in the rivers and waters of this state, and in the rivers and waters over which it has concurrent jurisdiction"; also to repeal an act of the legislative assembly of the state of Oregon, filed in the office of the secretary of state February 22, 1893, entitled "An act to provide for the more effective protection of game, fish, and song birds, for the appointment of a game and fish protector, and to define his duties, and to repeal an act entitled "An act to provide for the propagation and preservation of salmon and food fishes in the public waters of the state of Oregon, including so much of the streams which form common boundaries between said state and adjacent territories, and appropriating money therefor ; also for the appointment of a fish commission," approved February 13, 1887"; also to repeal an act of the legislative assembly of the state of Oregon entitled an act to amend an act entitled an act to amend sections 3 and 6 of an act entitled "An act to protect salmon and other food fishes in the state of Oregon and upon all waters upon which the state has concurrent jurisdiction, and to repeal sections 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497 and 3498 of Hill's annotated laws of Oregon," approved February 16, 1891, entitled "An act to protect salmon and other food fishes in the state of Oregon and upon all waters upon which this state has concurrent jurisdiction, and to repeal sections 3489, 3590, 3491, 3492, 3493, 3494, 3495, 3496, 3497 and 3498 of Hill's annotated laws of Oregon," approved February 25, 1895 ; also to repeal sections 22, 23, 33, 34, 35, 36, 37, 38, 39, 40 and 41 of an act entitled "An act for the protection of game, fish and wild fowl of the state of Oregon, and to provide for the appointment of fish and game warden," approved February 25, 1895, be amended so as to read as follows :—

Sec. 1. It shall be unlawful to take or fish for salmon in the Columbia river or its tributaries, or within three miles outside of the mouth of said Columbia river, by any means whatever, in any year, between 12 o'clock noon, March 1, and 12 o'clock noon, April 15, or between 12 o'clock noon, on the tenth day of August and 12 o'clock noon, on the tenth of September ; *provided*, that it shall be unlawful at any time to take or fish for salmon by any means whatever, except with hook and line, commonly termed angling, in the Clackamas river, Sandy river, the Wallowa river, Eagle creek and Tanner creek ; *provided*, that this provision shall not apply to Wallowa river until a salmon hatchery is built thereon ; *provided, further*, it shall be unlawful at any time hereafter to take or fish for salmon fish in the waters of the Willamette river in any manner whatever, except with hook and

line, commonly termed angling, between the tenth day of August and the first day of November of any year, or to fish for any salmon with anything but gig or hook and line, commonly called angling, at any time above the mouth of the south fork of Coos river, or above the mouth of the north fork of the Coos river, on Coos bay, in Coos county, Oregon. It shall be unlawful for any person or persons to take or fish for salmon in the waters of any stream or bay in this state, except the Columbia and its tributaries, and excepting the Necanicum and Ohana creeks, as provided in this act, from the twentieth day of November until the twentieth day of December, or between the fifteenth day of April and the first day of June; nor shall it be lawful to fish for or take any salmon in Rogue river from November 1 to April 15, nor from August 15 to September 1; nor shall it be lawful to fish for or take any salmon in Tillamook bay, or any of the waters of any stream flowing into such bay, from the twentieth day of November until the twentieth day of December, nor between the fifteenth day of April and the fifteenth day of July; nor shall it be lawful to fish for or take any salmon in the Siuslaw river between the twentieth day of November and the twentieth day of December, or between the fifteenth day of April and the first day of June of any year. Any person or persons fishing for, taking or catching salmon fish in violation of this section, or fishing for salmon fish by leaving or having in any of the waters of this state, or in any of the waters over which this state has concurrent jurisdiction, or who shall leave or cause to be left or have or permit any fishtraps, weir, poundnet, setnet, fishwheel, seine or any device intended for or which is capable of being used to catch fish, in any of the said waters in a condition to take or catch fish during the closed season provided in this act, or purchasing salmon so unlawfully caught, or having in his or their possession any salmon so caught shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than \$50 or more than \$1,000. In the prosecution of all actions under any of the provisions of this act, the burden of proof shall be upon the defendant to show that the salmon fish found in his or their possession during the above prohibited time was caught by hook and line. All salmon fish so unlawfully caught or taken shall be immediately taken possession of by the fish commissioner, and shall be by him confiscated and sold at public auction to the highest bidder for cash on giving one day's notice. Any person shall be authorized to purchase the same from the fish commissioner, and the fish commissioner shall thereupon deliver to such party purchasing the same a certificate of such sale, and such certificate shall be a complete defense to any prosecution for having in his or their possession such salmon in violation of any of the provisions of this act. The money arising from the sale of such salmon by said fish commissioner shall be immediately deposited with the state treasurer, and shall be by him deposited in the hatchery fund of the district wherein the offense was committed.

Section 2. That section 16 of said act be amended so as to read as follows:

Sec. 16. Any person desiring to obtain a license to take or catch salmon fish or sturgeon in any of the waters of this state in any manner whatever, either working upon as employer or employé of any poundnet, setnet, fishtrap, gillnet, fishwheel, seine or any other device or apparatus used for the purpose of catching salmon fish or sturgeon, whether such person is the owner of such appliance or otherwise, shall present in writing to the fish commissioner his application, which application shall be accompanied by the affidavit of said applicant that he is a citizen of the United States, or has declared his intention to become such, and that he is and has been for the six months next preceding such application a *bona fide* resident of the state of Oregon, and shall deposit with the fish commissioner a license fee of \$1; and thereupon a license shall be issued to such applicant authorizing him to engage in taking and catching fish in any of the waters of the district, as hereinafter provided for. In addition to the license aforesaid, any licensed fisherman desiring to engage in the business of operating a fishtrap,

poundnet, setnet, gillnet, fishwheel or seine or other appliance not prohibited by law for the purpose of catching fish, shall make application in writing to the said fish commissioner, specifying with convenient certainty the character of the appliance that the applicant desires to obtain a license for, together with the number of his individual license, as provided in this act, and upon payment of a license fee, as hereinafter provided, the fish commissioner shall issue to such person a license to operate the character of appliance desired in said application; *provided*, that such license shall be good only in the district for which the same is issued.

The following license fees for fishing appliances shall be paid by those owning or operating the same:

For each drag seine not exceeding 500 feet in length.....	\$ 10 00
For each additional foot in length, the further sum of.....	02
For each gillnet.....	2 50
For each setnet used on the Columbia river or its tributaries.....	2 50
For each setnet used on any other waters in the state than the Columbia river and its tributaries.....	1 00
For each poundnet, trap or weir.....	15 00
For each scow fishwheel.....	15 00
For each stationary fishwheel.....	25 00

Section 3. Inasmuch as it is of great importance to the commercial interests of the state that the salmon, sturgeon and other food fishes of the state should be fully protected, an emergency is hereby declared to exist and this act shall be in full force and effect from and after its passage.

AMENDMENT.

Also amend the title of the act so as to read as follows:

A bill for an act to amend an act, approved October 18, 1898, entitled "An act to provide for the propagation and protection of chinook, steelhead, blueback, silverside and all other species of salmon fish, sturgeon and other food fishes in the rivers and waters of the state of Oregon, and in all rivers and waters over which the state of Oregon has concurrent jurisdiction; and to license and regulate all persons engaged in taking and catching such fish in such waters; and to license and regulate fishtraps, poundnets, gillnets, fishwheels, seines, and also all devices and appliances and gear used for catching and taking such fish in such waters; also to license and regulate all persons engaged in canning, packing, storing, or in any manner dealing in such fish, and to provide for the appointment of a fish commissioner and the appointment of deputy fish commissioners, and also a fish commission, and defining their duties and fixing their compensation; also to provide for the disposition of the funds arising from the collection of such licenses; and to provide for the establishment of fish hatcheries; also to repeal sections 3482, 3483, 3484, 3485, 3486, 3487 and 3488 of title I of chapter XLII of Hill's annotated laws of Oregon; also to repeal sections 3499, 3500, 3501, 3502, 3503, 3504 and 3505 of title III of chapter XLII of Hill's annotated laws of Oregon;" also to repeal an act passed by the legislative assembly of the state of Oregon, and approved February 16, 1891, entitled "An act to protect salmon and other food fishes in the state of Oregon, and upon all waters upon which the state has concurrent jurisdiction; and to repeal sections 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497 and 3498 of Hill's annotated laws of Oregon;" also to repeal an act of the legislative assembly filed in the office of the secretary of state February 16, 1891, entitled "An act to protect and promote the fishing industries of the state of Oregon, and to collect money from certain persons engaged in said industry, to be used to protect and promote the same; also to repeal an act of the legislative assembly of the state of Oregon filed in the office of the secretary of state February 20, 1891, entitled "An act to regulate salmon and sturgeon fishing in the rivers and waters of this state, and in the rivers and waters over which it has con-

current jurisdiction ;" also to repeal an act of the legislative assembly of the state of Oregon filed in the office of the secretary of state February 22, 1893, entitled "An act to provide for a more effective protection of game, fish and song birds, for the appointment of a game and fish protector, and to define his duties, and to repeal an act entitled 'An act to provide for the propagation and preservation of salmon and food fishes in the public waters of the state of Oregon, including so much of the streams which form common boundaries between said state and adjacent territories, and appropriating money therefor, also for the appointment of a fish commission,' approved February 18, 1887 ;" also to repeal an act of the legislative assembly of the state of Oregon entitled an act to amend an act entitled "An act to amend sections 3 and 6 of an act entitled an act to protect salmon and other food fishes in the state of Oregon, and upon all waters upon which the state has concurrent jurisdiction ; and to repeal sections 3409, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497 and 3498 of Hill's annotated laws of Oregon," approved February 16, 1891, entitled "An act to protect salmon and other food fishes in the state of Oregon, and upon all waters upon which this state has concurrent jurisdiction ; and to repeal sections 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497 and 3498 of Hill's annotated laws of Oregon," approved February 25, 1895 ; also to repeal sections 22, 23, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41 of an act entitled "An act for the protection of game, fish and wild fowl of the state of Oregon, and to provide for the appointment of a fish and game warden," approved February 25, 1895.

A. W. REED,
Chairman.

On motion of Senator Reed, the amendments were adopted.

Senator Reed moved that the rules be suspended and that the bill be considered engrossed, read third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—Senator Clem.

Absent—Senator Kelly.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Daly of Benton, Driver, Dufur, Fulton, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Porter, Proebstel, Reed, Selling, Wade and Mr. President—22.

Nays—Senator Harmon.

Absent—Senators Adams, Clem, Daly of Lake, Haines, Mulkey, Patterson and Smith—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Reed, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1899. }

Mr. President:

Your committee on fishing industries, to whom was referred house bill No. 143, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. REED,
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 17.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 200, with the amendments thereto attached:

AMENDMENT.

In line 2, section 10, printed bill, strike out "three hundred" and insert "four hundred."

AMENDMENT.

In line 3 strike out "three hundred" and insert "four hundred and twenty."

AMENDMENT.

In line 4 strike out "three hundred" and insert "four hundred and twenty."

AMENDMENT.

In line 5 strike out "three hundred and sixty" and insert "four hundred and eighty."

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senator Selling moved that the senate do not concur in the amendments.

Senator Selling demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Clem and Selling—2.

Nays—Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Smith, Wade and Mr. President—26.

Absent—Senators Harmon and Patterson—2.

So the motion was lost.

On motion of Senator Daly of Lake, the senate concurred in the amendments.

Senate bill No. 149 being made a special order for 3 o'clock p. m., and that hour having arrived, the same was taken up for consideration.

On motion of Senator Fulton, further consideration of senate bill No. 149 was indefinitely postponed.

On motion of Senator Kuykendall, the senate arose and resolved itself into a committee of the whole for the further consideration of house bill No. 372.

• Senator Michell was called to the chair.

After deliberation, Senator Michell, chairman of the committee of the whole, reported back to the senate house bill No. 372, with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Add to line 6 of printed bill, "*provided*, in no case shall such private secretary receive above \$1,800 per annum, in full compensation for all services."

AMENDMENT.

In line 15 of printed bill, strike out "\$3,600" and insert in lieu thereof "\$4,000."

AMENDMENT.

After line 21 add line 21½, as follows: "For clerical aid in office of attorney-general, \$1,200."

AMENDMENT.

Add to line 43, "*provided*, that all supplies for the deaf-mute school be advertised for and contracts be let to the lowest responsible bidder."

AMENDMENT.

In line 44, strike out "\$5,000" and insert in lieu thereof "\$9,200."

AMENDMENT.

In line 48 of printed bill, strike out the figures "\$25,000" and insert in lieu thereof "\$20,000.00."

AMENDMENT.

Add to line 67 of printed bill, "*provided*, that all supplies for the Oregon reform school shall be advertised for and contracts for the same be let to the lowest responsible bidder."

AMENDMENT.

In line 79 of printed bill, after the word "penitentiary," add "the bookkeeper shall also act as turnkey."

AMENDMENT.

In line 79 of printed bill, strike out the figures "\$2,000" and insert in lieu thereof "\$2,400."

AMENDMENT.

After line 105 of printed bill insert the following: "Salary of state land agent, \$3,600; for salary of clerk of school land commissioners, \$3,000; for maps, attorneys' fees and other expenses incident to the management and sale of common school land and state, \$6,000; for clerical services in treasurer's office, in keeping account of school funds, notes and mortgages, \$3,000; for repayment of money paid on swamp lands and tide lands,

to which the state cannot give title, under acts of 1887, 1889 and 1891, or so much thereof as may be necessary, \$12,000; for salaries and expenses of game and forestry warden and deputies, \$4,400."

AMENDMENT.

Strike out section 2 of the printed bill, and number sections 3 and 4 "2" and "3" respectively.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has reconsidered senate bill No. 2, and you are requested to return said bill to the house for further consideration by the house.

A. C. JENNINGS,
Chief clerk.

The chief clerk was instructed to return senate bill No. 2 to the house.

Senator Selling moved that when the senate adjourn it adjourn to meet at 7:30 o'clock p. m. today.

The motion prevailed.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

EVENING SESSION.

SENATE CHAMBER, }
SALEM, Oregon, }
February 16, 1899. }

The senate was called to order at 7:30 o'clock p. m. by the president.

The roll was called, and all the senators were present.

Senator Selling moved that house bill No. 372 be considered engrossed, read third time and placed on final passage.

On motion of Senator Fulton, senate bill No. 372 was recommitted to the committee on ways and means, with instructions to entertain amendments and report back this evening.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 16, 1899.

Mr. President:

Your committee on enrolled bills, to whom was referred senate bills Nos. 237, 136, 225, 219, 232 and 192, senate concurrent resolution No. 11, and senate joint resolution No. 17, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 16, 1899.

Mr. President:

Your committee on enrolled bills, to whom was referred senate bills Nos. 61, 14, 27, 183 and 177, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

Unanimous consent being given, Senator Howe called up house bill No. 222.

House bill No. 222 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Dufur, Harmon and Selling—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Michell called up house bill No. 108.

House bill No. 108 was read third time.

By unanimous consent the chief clerk inserted the word "panther" after the words "mountain lion," in section 3.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Harmon, Haseltine, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Proebstel, Reed, Wade and Mr. President—22.

Nays—Senators Brownell, Haines, Howe, Josephi, Mulkey, Porter, Selling and Smith—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bills Nos. 136, 237, 219, 192, 232, 225, and senate concurrent resolutions Nos. 11 and 12, and senate joint resolution No. 17.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate bills Nos. 136, 237, 219, 192, 232, 225, and senate concurrent resolutions Nos. 11 and 12, and senate joint resolution No. 17, and soon thereafter stated that he had signed the same.

Unanimous consent being given, Senator Brownell called up house bill No. 319.

Senator Brownell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—29.

Nays—Senator Selling.

So the rules were suspended and the bill was read first time by title only.

Senator Brownell moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—29.

Nays—Senator Selling.

So the rules were suspended and the bill was read second time by title only.

Senator Brownell moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Mulkey.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Driver was excused.

Senator Kuykendall moved that the roll be called, and each senator as his name is called be permitted to call up one house bill that is now upon the desk of the chief clerk, regardless of its position on the calendar.

The motion prevailed.

JOURNAL OF THE SENATE

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bills Nos. 56, 165 and 65.

And the same are herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1899.)

Mr. President:

I am directed by the speaker to inform you that he has signed house bills Nos. 241, 247, 125, 112 and 153.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house bills Nos. 241, 247, 125, 112 and 153, and soon thereafter stated that he had signed the same.

The president announced that he was about to sign senate bills Nos. 56, 165 and 65, and soon thereafter stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has reconsidered and again passed senate bill No. 2.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 14, with the amendment hereto attached:

AMENDMENT.

That the book contain fifty pages, cloth bound.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

The amendment was concurred in.

Senator Adams called up house bill No. 188.

Unanimous consent being given, the chief clerk was instructed to insert the words "not more than one member of the board shall be from Marion county."

House bill No. 188 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Driver, Haines and Patterson—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bates called up house bill No. 53.

House bill No. 53 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Driver and Mackay—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Brownell called up house bill No. 143.

House bill No. 143 was read third time.

Unanimous consent being given, there was inserted sections 1 and 2 of senate bill No. 200 in the bill; and 200 was stricken out and 1200 was inserted; and October 1 instead of September 1 was inserted.

Senator Dufur moved that further consideration of senate bill No. 143 be indefinitely postponed.

The motion was lost.

Senator Reed demanded a call of the senate.

The roll was called, and those present were Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Morrow Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Absent—Senators Daly of Lake, Driver and Michell—3.

Senators Daly of Lake and Michell were noted present.

On motion of Senator Selling, further proceedings under call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Fulton, Haines, Harmon, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel and Reed—19.

Nays—Senators Bates, Daly of Lake, Dufur, Haseltine, Kelly, Morrow, Selling, Smith, Wade and Mr. President—10.

Absent—Senator Driver.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 6.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bills Nos. 252 and 288.

And the same are herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house bills Nos. 252 and 288, and soon thereafter stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 3, with the amendments thereto attached:

AMENDMENT.

That the title be amended by inserting after the words "quarterly public examinations" the following: "Legalizing outstanding indebtedness of school districts and authorizing the funding of same by issuance of bonds."

AMENDMENT.

That section 24 of the bill be amended to read as follows:

Section 24. That all indebtedness now outstanding, whether evidenced by bonds, orders, warrants or otherwise, of any school district in this state, be and the same is hereby declared legal and valid, and said districts are hereby authorized to fund said indebtedness by the issuance of negotiable bonds, in the manner now provided by law.

AMENDMENT.

That section 24 of the bill be amended to read "Section 25."

AMENDMENT.

That the figures "\$900," in line 17 of page 11 be stricken out, and "\$1,000" be inserted in lieu thereof.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Fulton, the senate concurred in the first amendment to senate bill No. 3, adopted by the house.

On motion of Senator Cameron, the senate concurred in the second amendment to senate bill No. 3, adopted by the house.

On motion of Senator Kuykendall, the remaining amendments were concurred in.

Unanimous consent being given, Senator Fulton, chairman of of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 16, 1899.)

Your committee on judiciary, to whom was referred house bill No. 263, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Add after the word "dollars," in line 6, engrossed bill (reference being had to the fifth judicial district), the following:

Provided, That the prosecuting attorney for the fifth judicial district shall appoint deputies in the counties of Clackamas, Clatsop, Columbia and Washington, and out of the annual salary allowed the prosecuting attorney for such district shall be paid such deputies the following annual salaries, namely: In Clackamas county, \$500; in Clatsop county, \$600, and in Washington county \$500, and in Columbia county \$200. The salaries of such deputies to be paid in the time and manner provided for the payment of the salaries of prosecuting attorneys.

AMENDMENT.

Strike out lines 3 and 4, page 3, engrossed bill, and insert in lieu thereof the following:

Fourth judicial district, \$4,000; and the prosecuting attorney for said fourth judicial district shall be allowed two deputies, each of whom shall receive and be paid an annual salary of \$1,800, to be paid quarterly by the state.

AMENDMENT.

Strike out the figures "\$4,000" and insert in lieu thereof the figures "\$4,150," in line 14 of printed bill.

AMENDMENT.

Add to section 3 the following:

The third judicial district shall have five deputies, to be paid by the district attorney as follows: One deputy in Marion county, whose salary shall be \$500 per annum; one deputy in Linn county, whose salary shall be \$400 per annum; one deputy in Tillamook county, whose salary shall be \$200 per

annum; one deputy in Yamhill county, whose salary shall be \$250 per annum; and one deputy in Polk county, whose salary shall be \$250 per annum.

C. W. FULTON,
Chairman.

On motion of Senator Fulton, the amendments were adopted.

On motion of Senator Harmon, house bill No. 263 was made a special order for tomorrow morning.

Senator Haines, chairman of the committee on banking and insurance, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 16, 1899. }

Your committee on banking and insurance, to whom was referred house bill No. 166, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Strike out everything after the enacting clause and insert the following:

Section 1. It shall be unlawful for any insurance company or association, doing business in the state of Oregon, to write, place, or cause to be written or placed, any policy or contract for indemnity for insurance on property situated or located in the state of Oregon, except through or by the duly authorized agent or agents of such insurance company or association, residing and doing business in this state; *provided*, that this act shall not apply to direct insurance covering the rolling stock of railroad corporations, or property in transit while in the possession and custody of railroad corporations or other common carriers. At the time of the filing of the annual statement of every such company with the insurance commissioner, there shall be attached thereto the affidavit of the president, manager or chief executive officer in the United States that this section has not been violated.

Section 2. Every insurance company or corporation having complied with the provisions of section 3568, chapter L (Insurance), Hill's annotated laws, shall before issuing any policy or contract for indemnity, for insurance or property situated or located in the state of Oregon, file with the insurance commissioner of this state the "title" under which it proposes to write any fire insurance in the state of Oregon, and such title shall be registered by the said insurance commissioner, together with the name of the insurance company or association filing such title, and a sample and specimen thereof shall be pasted in a book to be kept for that purpose by the insurance commissioner, and in respect of the \$50,000 deposited by any insurance company or association, as provided in section 3568, and upon paying the fee as hereinafter provided, such insurance company or association shall be entitled to issue policies or contracts for indemnity for insurance for the one title so registered, and no more; *provided, however*, that any insurance company or association may register one additional title upon depositing with the state treasurer the sum of \$50,000 for such additional title so registered. Every insurance company or association register-

ing a title under this act, shall pay to the insurance commissioner a fee of \$5.00 for each and every title so registered, and the insurance commissioner shall then issue a certificate to the insurance company or association registering such title, setting forth the name of the company or association, and attaching to the certificate a *fac simile* of the title registered and filed as hereinbefore provided, and it shall be the duty of each and every insurance company or association doing business in this state to display the said certificate in its principal office or place of business in this state.

Section 3. Every insurance company, or associaton, doing business in this state upon the day this law goes into effect, shall, within thirty days from said day, file with the insurance commissioner the "title" of the policy to be issued by it in accordance with the provisions of this act.

Section 4. Every insurance company, or association, having complied with section 3568, and having paid an annual license of \$50 as provided in section 3580, and otherwise having fully complied with the provisions of section 3580, may, in respect thereof, establish agencies and appoint agencies in this state, but shall not maintain more than one agency nor appoint more than one agent in any city, town or village of the state, except as hereinafter provided; and the name of every agent appointed in accordance with the provisions of this section shall be filed with the insurance commissioner, who shall issue to such agent a certificate setting forth that such agent is entitled to act for the company appointing him, which certificate shall continue in force until revoked, or as long as such agent continues to represent such authorized company or companies. The fee for such certificate shall be \$1, and shall be paid to the insurance commissioner.

Section 5. Any insurance company, or association, may appoint additional agents in any city, town or village of this state by paying in advance to the county wherein such additional agent is appointed a quarterly license of \$100 for every such additional agent so appointed, and the proper officer of the county, upon receiving payment for such license shall issue his receipt therefor, and the insurance commissioner upon presentation to him of such receipt by the licensee shall issue to such licensee a certificate setting forth that such additional agent is entitled to act for the company appointing him. The application for the license, and the license, shall designate the name of the city, town or village for which he is appointed, and such agent must be a resident thereof, and shall maintain his office there; *provided*, that in cities containing a population of forty thousand or more inhabitants any insurance company or association may appoint two agents under the provisions of sections 4 of this act.

Section 6. The word "agent" in this act, wherever used, shall be construed to include and apply to a person, firm or corporation, and any certificate issued by the insurance commissioner to any firm or corporation shall bear upon its face the name of each and every individual member comprising such firm, and the names of the principal officers of such corporation; and any person who solicits insurance, receives an application or order to write, renew or procure any policy, collect any premium, or who attempts as middleman to place any fire insurance in this state, shall be deemed an insurance agent, and shall comply with the provisions herein; and if such agent shall refuse, or neglect, to procure a certificate as provided herein, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$500 for each offense, and in default of payment of the fine, shall be imprisoned in the county jail not less than fifty days; *provided, however*, that this section shall not apply to the regularly employed office clerks of agents.

Section 7. If any fire insurance company, or association, doing business in this state, shall violate any of the provisions of this act, the insurance commissioner shall forthwith revoke its license and those of its agents, and no renewal of the license, or licenses, shall be granted until after the expiration of one year from the final date of revocation.

Section 8. Nothing in this act shall be construed as applying to compa-

nies or associations organized solely for the mutual protection of its members, or working under a lodge system.

All laws, and parts of laws, in conflict with the provisions of this act be and the same are hereby repealed.

E. W. HAINES,
Chairman.

On motion of Senator Haines, the amendments were adopted.
Senator Mulkey, chairman of the committee on ways and means, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 16, 1899.

Your committee on ways and means, to whom was referred house bill No. 372, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Line 77 of amended printed bill, strike out "\$4,200" and insert in lieu thereof "\$4,800"; and in line 79, strike out "1,800" and insert "\$2,000."

B. F. MULKEY,
Chairman.

On motion of Senator Mulkey, the amendments were adopted.
Senator Mulkey, chairman of the committee on ways and means, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 16, 1899.

Your committee on ways and means, to whom was referred house bill No. 285, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

B. F. MULKEY,
Chairman.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President :

February 16, 1899. }

Your committee on enrolled bills, to whom was referred senate bills Nos. 56, 65 and 165, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman

Senator Cameron called up house bill No. 311.

Senator Daly of Lake was called to the chair.

House bill No. 311 was read third time.

Senator Smith demanded a call of the senate.

The roll was called, and those present were Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Looney, Mitchell, Morrow, Patterson, Porter, Proebstel, Reed, Selling, Smith and Wade—23.

Absent—Senators Driver, Harmon, Kelly, Kuykendall, Mackay, Mulkey and Mr. President—7.

Senators Mackay, Kelley and Mulkey were noted present.

On motion of Senator Fulton, further proceedings under the call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Lake, Dufur, Haseltine, Howe, Josephi, Kelly, Morrow, Proebstel and Selling—13.

Nays—Senators Daly of Benton, Fulton, Haines, Harmon, Looney, Mackay, Mitchell, Mulkey, Patterson, Porter, Reed, Smith and Wade—13.

Absent—Senators Clem, Driver, Kuykendall and Mr. President—4.

So the bill failed to pass.

Senator Clem called up house bill No. 76.

Senator Clem moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Mackay, Mitchell, Morrow Mulkey, Patterson, Porter, Proebstel, Reed, Smith and Wade—23.

Nays—Senators Bates and Selling—2.

Absent—Senators Adams, Driver, Kelly, Looney and Mr. President—5.

Senator Clem moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Driver, Fulton, Kelly and Morrow—4.

So the rules were suspended and the bill was read second time by title only.

Senator Clem moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Driver, Fulton, Kelly and Morrow—4.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Clem, Daly of Benton, Daly of Lake, Harmon, Kelly, Kuykendall, Looney, Mackay, Mulkey, Smith, Wade and Mr. President—13.

Nays—Senators Bates, Brownell, Fulton, Haines, Haseltine, Howe, Josephi, Michell, Patterson, Porter, Proebstel, Reed and Selling—13.

Absent—Senators Cameron, Driver, Dufur and Morrow—4.

So the bill failed to pass.

Senator Daly of Lake called up house bill No. 92.

House bill No. 92 was read third time.

Senator Daly of Lake demanded a call of the senate.

The roll was called, and those present were Senators Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Porter, Proebstel, Reed, Selling, Smith and Mr. President—23.

Absent—Senators Adams, Cameron, Driver, Dufur, Morrow, Patterson and Wade—7.

Senator Adams was noted present.

On motion of Senator Daly of Lake, further proceedings under the call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Driver, Dufur and Patterson—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 114.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 126.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has

adopted house concurrent resolution No. 21, extending the time for examination of the books of secretary of state ten days.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 21.

Resolved by the house of representatives, the senate concurring, That the clerks of committee having in charge the books and accounts of Hon. H. R. Kincaid, secretary of state, are granted ten days' additional time wherein to make their final report, which report shall be made to the governor.

On motion of Senator Reed, the senate concurred in house concurrent resolution No. 21.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 2, February 10, 1899, with the amendment hereto attached:

AMENDMENT.

"The tax collector shall cause to be published for ten consecutive days, in a newspaper of general circulation published within the county, notice of the day on which taxes for the year designated will become delinquent and."

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Senator Selling moved that the senate concur in the amendments.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith and Mr. President—23.

Nays—Senators Dufur, Fulton, Kuykendall, Looney and Wade—5.

Absent—Senators Daly of Lake and Driver—2.

So the senate concurred in the amendments.

On motion of Senator Harmon, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

FRIDAY, FEBRUARY 17, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1899. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present.

The morning session was opened with prayer by Rev. Mr. H. A. Ketchum, D.D., of Salem.

On motion of Senator Haines, the reading of the journal of yesterdays's proceedings were dispensed with.

Unanimous consent being given, Senator Howe introduced senate joint resolution No. 19.

SENATE JOINT RESOLUTION NO. 19.

Whereas, J. W. Bailey was by the legislative assembly, on the fourteenth day of February, 1899, duly elected to the office of Oregon state dairy and food commissioner; and

Whereas, by reason of the fact that the law regulating the duties of said office has been changed since said election and doubt exists as to whether or not said J. W. Bailey now holds said office; therefore, be it

Resolved by the senate, the house concurring, That J. W. Bailey be and he is hereby elected and appointed to the office of Oregon state dairy and food commissioner.

Senator Howe moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Dufur and Mulkey—3

So the resolution was adopted.

FRIDAY, FEBRUARY 17, 1899.

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MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1899. }

Mr. President :

I am directed by the speaker to inform you that the house has passed senate bill No. 109.

And the same is herewith returned to you for enrollment

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1899. }

Mr. President :

I am directed by the speaker to inform you that the house has passed senate bill No. 224, with the amendment hereto attached:

AMENDMENT.

Section 5. It shall be the duty of the governor of the state of Oregon, and he is hereby required to cause these amendments to be published, without delay, for five consecutive weeks, in one newspaper published in each judicial district of this state, such newspaper to be designated by the governor.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Harmon, the senate concurred in the amendments.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 16, 1899. }

Mr. President :

I am directed by the speaker to inform you that the house has passed senate bills Nos. 83 and 93.

And the same are herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 72, with the amendment thereto attached:

AMENDMENT.

In section 9, after the name "John A. Brown," insert the names of "M. A. MacEarchern and George H. Hill."

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
 Chief clerk.

On motion of Senator Selling, the senate concurred in the amendments.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bills Nos. 56, 65 and 165.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
 Chief clerk.

The president announced that he was about to sign senate bills Nos. 56, 65 and 165, and soon thereafter stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has requested the return of senate bill No. 126.

A. C. JENNINGS,
 Chief clerk.

The chief clerk was instructed to return senate bill No. 126 to the house.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 17, 1899 }

Mr. President:

I am directed by the speaker to inform you that he has signed house bills Nos. 53, 188 and 222.

And the same are herewith transmitted to you for your signature.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 17, 1899 }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 22.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
 Chief clerk.

The president announced that he was about to sign house bills Nos. 53, 188 and 222, and soon thereafter stated that he had signed the same.

House bill No. 263 being made a special order for this hour, the same was taken up for further consideration.

Senator Porter moved that the bill be recommitted to the committee on judiciary, with instructions to amend by striking out "four years" and inserting "two years."

Senator Fulton moved a division of the question.

The question being put as to the first amendment, the motion was lost.

The question being put as to the second amendment, the motion was lost.

Unanimous consent being given, the chief clerk was instructed to insert the following amendment:

AMENDMENT.

Strike out "\$4,000" and insert "\$4,500 for prosecuting attorney in third judicial district; deputy, Marion county, \$500; deputy, Linn county, \$400; deputy, Tillamook county, \$200; deputy, Yamhill county, \$250; deputy, Polk county, \$250."

The report as amended was adopted.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Driver, Dufur, Fulton, Harmon, Kelly, Kuykendall, Michell, Morrow, Proebstel, Reed, Smith, Wade and Mr. President—16.

Nays—Senators Bates, Clem, Daly of Benton, Daly of Lake, Haines, Haseltine, Howe, Josephi, Mackay, Porter and Selling—11.

Absent—Senators Looney, Mulkey and Patterson—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Kuykendall called up house bill No. 372.

Senator Kuykendall moved that the rules be suspended and that the bill be considered engrossed, read third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Mulkey, Patterson, Proebstel, Reed, Smith, Wade and Mr. President—25.

Nays—Senator Selling.

Absent—Senators Harmon, Looney, Morrow and Porter—4.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

Unanimous consent being given, the chief clerk was instructed to insert the following amendment:

AMENDMENT.

Insert the words "and tide lands" after the words "swamp lands."

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed and Mr. President—24.

Nays—Senators Daly of Lake, Howe, Selling, Smith and Wade—5.

Absent—Senator Dufur.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 19.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 88.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bills Nos. 164 and 97.

And the same are herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 16, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 126, with the amendments hereto attached:

AMENDMENT.

Amend by striking out section 17.

AMENDMENT.

After the word "accept," in the seventh line of section 7, strike out all down to the word "provided," in the eleventh line of said section, and insert in lieu thereof the words, "Indemnity school lands selected under the provisions of the act approved February 19, 1895, now unsold and to which no valid right to purchase has attached, which are hereby withdrawn from sale."

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Daly of Benton, the senate concurred in the amendments.

Senator Mulkey moved that the senate arise, and resolve itself into a committee of the whole for the consideration of house bill No. 383.

The motion was lost.

Senator Daly of Lake called up house bill No. 3.

House bill No. 3 was read third time.

On motion of Senator Fulton, further consideration of the bill was indefinitely postponed.

Unanimous consent being given, Senator Reed introduced senate resolution No. 20.

SENATE RESOLUTION NO. 20.

Whereas, Three bills, Nos. 119, 133 and 140 are of vital importance to the life of the Oregon national guard; have passed the house by almost unanimous vote, and

Whereas, The Oregon national guard, when the nation's honor was at stake, put into the field a regiment of soldiers that is the pride of our state, and

Whereas, This session of the legislature is about to adjourn, be it.

Resolved, That these bills be called up for immediate consideration.

On motion of Senator Reed, the resolution was adopted.

House bill No. 119 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe,

Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith and Mr. President—27.

Nays—None.

Absent—Senators Daly of Lake, Morrow and Wade—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 139 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Morrow, Proebstel, Reed, Selling, Smith and Mr. President—24.

Nays—Senator Wade.

Absent—Senators Daly of Lake, Michell, Mulkey, Patterson and Porter—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 140 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Mackay, Michell, Morrow, Patterson, Proebstel, Reed, Selling, Smith and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Looney, Mulkey, Porter and Wade—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Smith, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1899.)

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present.

Senator Looney moved that the rules be suspended and that he be allowed to submit a report.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Howe, Kuykendall, Looney, Morrow, Porter and Mr. President—14.

Nays—Senators Bates, Haines, Haseltine, Josephi, Kelly, Mackay, Proebstel, Reed, Selling, Smith and Wade—11.

Absent—Senators Dufur, Harmon, Michell, Mulkey and Patterson—5.

So the senate refused to suspend the rules.

Senator Driver called up house bill No. 208.

On motion of Senator Kelly, house bill No. 208 was recommitted to the committee on revision of laws, with instructions to consider further amendments.

Senator Haines called up house bill No. 166.

House bill No. 166 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Proebstel, Reed, Selling and Smith—22.

Nays—Senators Clem, Haseltine, Porter and Mr. President—4.

Absent—Senators Cameron, Dufur, Josephi and Wade—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Fulton called up house bill No. 383.

Senator Mulkey moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Michell, Morrow, Mulkey, Porter, Proebstel, Smith, Wade and Mr. President—24.

Nays—Senators Kuykendall, Patterson, Reed and Selling—4.

Absent—Senators Dufur and Mackay—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Mulkey moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Brownell, Cameron, Clem, Driver, Haines, Harmon, Mulkey, Smith and Mr. President—10.

Nays—Senators Bates, Daly of Benton, Daly of Lake, Fulton, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Michell, Morrow, Patterson, Proebstel, Reed and Selling—16.

Absent—Senators Dufur, Mackay, Porter and Wade—4.

So the senate refused to suspend the rules.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,)
SALEM, Oregon,)
February 17, 1899.)

To the honorable, the president of the senate:

I am directed by the governor to inform you that he has approved and signed the following bills: Senate bills Nos. 14, 27, 177 and 183; house bills Nos. 84, 109, 275, 214, 57, 352 and 249.

WALTER LYON,
Private secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,)
SALEM, Oregon,)
February 17, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 96.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

Senator Harmon called up house bill No. 238.

House bill No. 238 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Proebstel, Reed, Selling, Wade and Mr. President—26.

Nays—Senator Howe.

Absent—Senators Dufur, Porter and Smith—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Haseltine called up house bill No. 148.

House bill No. 148 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Haines, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Fulton, Harmon and Howe—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Howe called up house bill No. 366.

Senator Howe moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Dufur.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Howe moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Dufur.

So the rules were suspended and the bill was read second time by title only.

Senator Howe moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Absent—Senator Dufur.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Clem, Dufur and Reed—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Josephi called up house bill No. 15.

House bill No. 15 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—24.

Nays—Senator Michell.

Absent—Senators Daly of Lake, Dufur, Morrow, Mulkey and Reed—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bill No. 2.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has refused to concur in senate amendments to house bill No. 372, to-wit:

AMENDMENT.

Amendment No. 4½. In line 44 strike out "\$5,000," and in lieu thereof insert "\$9,200."

AMENDMENT.

Amendment No. 7. In line 79, printed bill, after the word "penitentiary," add "The bookkeeper shall also act as turnkey."

All the other amendments were concurred in by the house.

And the same is herewith returned to you for the further consideration of the senate.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Kuykendall, the senate receded from its former action in the adoption of senate amendments Nos. 4½ and 7 to house bill No. 372.

Senator Kelly called up house bill No. 346.

House bill No. 346 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Morrow, Mulkey, Patterson, Proebstel, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Clem, Dufur, Michell, Porter and Reed—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The president announced that he was about to sign senate bill No. 2, and soon thereafter stated that he had signed the same.

Senator Dufur called up house bill No. 291.

Senator Michell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only.

Senator Dufur moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

Senator Daly of Lake was called to the chair.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Clem, Haines and Patterson—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Kuykendall called up house bill No. 206.

House bill No. 206 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Cameron, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith and Wade—24.

Nays—None.

Absent—Senators Brownell, Dufur, Michell, Patterson and Mr. President—5.

Not voting—Senator Clem.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Looney called up house bill No. 329.

House bill No. 329 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling and Wade—27.

Nays—None.

Absent—Senators Kuykendall, Smith and Mr. President—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Mackay called up house bill No. 154.

House bill No. 154 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Dufur, Haseltine, Josephi, Mackay, Michell, Mulkey and Selling—10.

Nays—Senators Adams, Clem, Daly of Benton, Daly of Lake, Fulton, Haines, Howe, Kelly, Morrow, Patterson, Proebstel, Reed, Smith and Wade—14.

Absent—Senators Driver, Harmon, Kuykendall, Looney, Porter and Mr. President—6.

So the bill failed to pass.

President Taylor resumed the chair.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bills Nos. 39, 144 and 176.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1899.

Mr. President:

Your committee on enrolled bills, to whom was referred senate bills Nos. 6, 114, 96, 200, 93, 83, 22, 100, 88, 164, and senate joint resolutions Nos. 19 and 195, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON.
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1899.

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 143, with the amendment hereto attached:

AMENDMENT.

That section 13 be amended to read as follows:

Section 13. The provisions of this act shall not apply to the counties of Baker, Clatsop, Coos, Crook, Curry, Douglas, Gilliam, Grant, Harney, Josephine, Klamath, Lake, Lane, Lincoln, Linn, Malheur, Morrow, Polk, Sherman, Union, Umatilla, Wallowa and Wheeler.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Josephi, the senate concurred in the amendments.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bills Nos. 239, 108 and 297, and house concurrent resolution No. 21.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 123.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

Senator Michell called up house bill No. 384.

Senator Michell moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Michell moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only.

Senator Michell moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Patterson.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Harmon, Haseltine, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Haines, Howe, Kelly, Patterson and Reed—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Morrow called up house bill No. 21.

House bill No. 21 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haseltine, Josephi, Kuykendall, Mackay, Morrow, Mulkey, Porter, Proebstel, Selling, Smith, Wade and Mr. President—21.

Nays—None.

Absent—Senators Adams, Haines, Harmon, Howe, Kelly, Looney, Michell, Patterson and Reed—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, the chief clerk was instructed to strike out all after the word "deed" in the title.

Senator Mulkey demanded a call of the senate.

The roll was called, and those present were Senators Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mulkey Patterson, Porter, Proebstel, Selling, Smith and Mr. President—23.

Absent—Senators Adams, Cameron, Harmon, Michell, Morrow, Reed and Wade—7.

Senators Adams, Morrow and Wade were noted present.

On motion of Senator Mulkey, further proceedings under call of the senate were dispensed with.

Senator Mulkey called up house bill No. 239.

Senator Mulkey moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Josephi, Kuykendall, Looney, Mackay, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—25.

Nays—None.

Absent—Senators Harmon, Howe, Kelly, Michell and Patterson—5.

So the rules were suspended and the bill was read second time by title only.

Senator Mulkey moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell,

Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Cameron and Reed—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Cameron, Dufur, Fulton and Harmon—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
SALEM, Oregon,
February 17, 1899. }

To the honorable, the president of the senate:

I am directed by the governor to inform you that he has approved and signed the following bills: Senate bills Nos. 61, 86, 106, 163, 192, 219, 225, 232 and 237, and house bills Nos. 53, 125, 153, 247 and 273.

WALTER LYON,
Private secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 185, with the amendments hereto attached:

AMENDMENT.

That in section 1, line 1, the figures "1900" be stricken out and the figures "1899" be inserted therefor.

AMENDMENT.

That in section 2, line 1, the figures "1900" be stricken out and the figures "1899" be inserted therefor.

AMENDMENT.

That section 3 be amended so as to read as follows:

From and after July 1, 1899, the salary of the recorder of Washington county, Oregon, shall be \$1,000 a year, and he shall be allowed one deputy, whose salary shall be \$500 a year.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Haines, the amendments were concurred in.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 84.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bills Nos. 143, 140, 139, 92, 119 and 319.

And the same are herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house bills Nos. 143, 140, 139, 92, 119, and 319, and soon thereafter stated that he had signed the same.

Senator Kuykendall moved that when the senate adjourn it adjourn to meet at 7:30 p. m. today.

The motion prevailed.

Senator Patterson called up house bill No. 371.

Senator Patterson moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read first time by title only.

Senator Patterson moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only.

Senator Patterson moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Morrow, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—24.

Nays—None.

Absent—Senators Driver, Dufur, Fulton, Harmon, Michell and Reed—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Porter called up house bill No. 13.

House bill No. 13 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Haseltine, Kelly and Morrow—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
SALEM, Oregon, }
February 17, 1899. }

To the honorable, the president of the senate:

I am directed by the governor to inform you that he has approved and signed the following bills: Senate bills Nos. 160, 82, 175, 32, 65, 56, 73, 104, 184, 36, and house bill No. 241.

WALTER LYON,
Private secretary.

The president appointed Senators Mulkey, Selling and Smith members of the committee provided under senate resolution No. 19.

Senator Proebstel called up house bill No. 232.

Senator Proebstel moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Michell, Morrow, Mulkey, Patterson, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Fulton, Mackay and Porter—4.

So the rules were suspended and the bill was read second time by title only.

Senator Proebstel moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

Senator Brownell demanded a call of the senate.

The roll was called, and those present were Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Michell, Morrow Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—27.

Absent—Senators Harmon, Mackay and Smith—3.

On motion of Senator Brownell, further proceedings under call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Michell, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Harmon, Mackay, Morrow and Patterson—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,)
SALEM, Oregon,)
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bills Nos. 114, 6, 96, 200, 93, 164, 83, 22, 109 and 88.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate bills Nos. 114, 6, 96, 200, 93, 164, 83, 22, 109 and 88, and soon thereafter stated that he had signed the same.

Senator Reed called up house bill No. 237.

Senator Reed moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 28.

Nays—None.

Absent—Senators Kelly and Morrow—2.

So the rules were suspended and the bill was read second time by title only.

Senator Reed moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Harmon—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Michell, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Driver, Mackay, Morrow and Patterson—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, Senator Kelly called up house bill No. 330.

Senator Kelly moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Dufur.

So the rules were suspended and the bill was read first time by title only.

Senator Kelly moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Kuykendall.

So the rules were suspended and the bill was read second time by title only.

Senator Kelly moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Kuykendall.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays — None.

Absent—Senator Kuykendall.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD
Chief clerk.

EVENING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1899. }

The senate was called to order at 7:30 o'clock p. m. by the president.

The roll was called, and all the senators were present.

Unanimous consent being given, Senator Proebstel called up house bill No. 37.

House bill No. 37 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Selling, Smith, Wade and Mr. President—27.

Nays — None.

Absent—Senators Dufur, Morrow and Reed—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Selling called up house bill No. 81.

House bill No. 81 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Clem, Daly of Benton, Driver, Haines, Harmon, Haseltine, Josephi, Kuykendall, Looney, Mackay, Michell, Mulkey, Proebstel, Selling, Smith and Mr. President—18.

Nays—Senators Bates, Cameron, Fulton and Porter—4.

Absent—Senators Daly of Lake, Dufur, Howe, Kelly, Morrow, Patterson, Reed and Wade—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Smith called up house bill No. 362.

Senator Smith moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dufur and Mackay—2.

So the rules were suspended and the bill was read first time by title only and passed to second reading.

Senator Smith moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read second time by title only.

Senator Smith moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Josephi, Kuykendall, Looney, Michell, Morrow, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President — 24.

Nays — None

Absent — Senators Daly of Lake, Howe, Kelly, Mackay, Mulkey and Patterson — 6.

So the bill passed.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 17, 1899.

Your committee on enrolled bills, to whom was referred senate bills Nos. 224, 72, 97, 84 and 144, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,

Mr. President:

February 17, 1899.

I am directed by the speaker to inform you that the house has passed senate bill No. 205.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,

Mr. President:

February 17, 1899.

I am directed by the speaker to inform you that the house has passed senate bill No. 50.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,

Mr. President:

February 17, 1899.)

I am directed by the speaker to inform you that he has signed house bills Nos. 238, 15, 329, 346, 366, 291 and 148.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house bills Nos. 148, 291, 366, 346, 329, 15 and 238, and soon thereafter stated that he had signed the same.

Senator Wade called up house bill No. 80.

Senator Wade moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Howe, Harmon and Patterson—4.

So the rules were suspended and the bill was read first time by title only.

Senator Wade moved that the rules be further suspended and that the bill be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Harmon, Howe and Patterson—4.

So the rules were suspended and the bill was read second time by title only.

Senator Wade moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Harmon, Haseltine, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Porter, Proebstel, Reed, Selling Smith, Wade and Mr. President—26.

Nays—None.

Absent—Senators Dufur, Howe, Patterson and Mulkey—4.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Smith, Wade and Mr. President—3.

Nays—Senators Adams, Bates, Brownell, Clem, Daly of Benton, Driver, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed and Selling—22.

Absent—Senators Cameron, Daly of Lake, Dufur, Harmon and Patterson—5.

So the bill failed to pass.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bills Nos. 122 and 178.

And the same are herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 85.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bills Nos. 185, 84, 224, 97, 144, 72, and senate joint resolution No. 19.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
 Chief clerk.

The president announced that he was about to sign senate bills Nos. 72, 144, 97, 224, 84, 185, and senate joint resolution No. 19, and soon thereafter stated that he had signed the same.

On motion of Senator Reed, senate joint resolution No. 13 was taken from the table.

Senator Brownell moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Clem, Daly of Benton, Daly of Lake, Driver, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Wade and Mr. President—25.

Nays—None.

Absent—Senators Bates, Cameron, Dufur, Harmon and Smith—5.

So the senate adopted senate joint resolution No. 13.

Unanimous consent being given, Senator Fulton, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER, }
 SALEM, Oregon, }
 February 13, 1899. }

Mr. President:

Your committee on judiciary, to whom was referred house concurrent resolution No. 15, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do concur.

C. W. FULTON,
 Chairman.

On motion of Senator Fulton, the senate concurred in house concurrent resolution No. 15.

On motion of Senator Kuykendall, the senate arose and re-

solved itself into a committee of the whole for the consideration of house bill No. 383.

Senator Michell was called to the chair.

The committee of the whole arose, reported progress and asked for further time.

Senator Selling moved that the rules be suspended and that house bill No. 383 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Harmon.

So the rules were suspended and the bill was read second time by title only.

On motion of Senator Selling, the senate arose and resolved itself into a committee of the whole for the consideration of house bill No. 383.

Senator Michell was called to the chair.

After deliberation, the committee of the whole arose, and, after the senate was called to order, Senator Michell, on the part of the committee of the whole, reported senate bill No. 383 with the following amendments, with the recommendation that it do pass:

AMENDMENT.

In line 4 of printed bill, strike out the name of "O. B. Estes" and insert in lieu thereof, "Board of Examiners for the State of Oregon."

AMENDMENT.

Strike out lines 8 and 9 of the printed bill.

AMENDMENT.

In the enrolled bill, strike out the item, "for bridges and approaches across Wolf creek, Rock creek, and Boorman creek, in Josephine county, for the purpose of encouraging the mining industries in southern Oregon, \$2,500."

AMENDMENT.

In enrolled bill, strike out the item, "From trust funds, in the

common schools, for salary of clerk of land commissioners, \$3,000."

AMENDMENT.

In enrolled bill, strike out the item, "For maps, attorneys' fees and other expenses incidental to the management and sale of common school land and state land, \$6,000."

AMENDMENT.

In enrolled bill, strike out the item, "For clerical services in treasurer's office, in keeping account of school fund, notes and mortgages, \$3,000."

AMENDMENT.

In enrolled bill, strike out item, "For payment of moneys paid on swamp land, to which the state cannot give title, under acts of 1887, 1889, and 1891, \$12,000."

AMENDMENT.

After the word "fair," in line 31 of printed bill, insert the following: "*provided*, that this amount be accepted in full of all claims against the state of Oregon."

AMENDMENT.

After the word "society," in line 59 of printed bill, insert the following: "*provided*, the management of the second district fair is by legislation placed in the hands of a board of five members, no more than one of whom shall reside in Wasco county; and, *further provided*, that no indebtedness shall be incurred in the future, outside the amount appropriated; and, *further provided*, that the above sum shall not be available unless the lands known as the Second District Fair Grounds, consisting of twenty acres, more or less, are deeded to the state."

AMENDMENT.

In line 65 of printed bill, after the figures "1899" insert the words "in full for all claims"; in line 65 of printed bill, strike out the figures "\$1,725.37" and insert in lieu thereof the figures "\$1,500."

AMENDMENT.

In line 65 of printed bill, after the word "state" insert the following: "In full of all claims." In said line 68 of printed bill, strike out the figures "\$1,000" and insert in lieu thereof "\$1,500."

AMENDMENT.

Strike out all of line 85 in printed bill.

AMENDMENT.

In line 86 of printed bill, strike out the words and figures "claim for 400 copies of volumes 33, 34, 35 and 36" be stricken out and the word "printing" inserted in lieu thereof.

AMENDMENT.

In the engrossed bill, strike out the following: "For building a new wing to the Oregon state penitentiary; to provide for a dining-hall room, chapel, kitchen; also bath rooms; and to provide for the purpose of sufficient fire-fighting apparatus as may be deemed necessary for the protection of the Oregon state penitentiary, \$15,000" and insert in lieu thereof "that there be allowed for repairs to be made at penitentiary, under the direction of the governor and superintendent of the penitentiary, \$2,000."

AMENDMENT.

Strike out all of line 130 in printed bill.

AMENDMENT.

Strike out from engrossed bill, item "for Babys' Home, \$4,000."

AMENDMENT.

In line 158 of printed bill, strike out the figures "\$374.12" and insert in lieu thereof "\$394.12."

AMENDMENT.

Strike out all of line 159 of printed bill.

AMENDMENT.

In engrossed bill, strike out the following: "For the purpose of transplanting and propagating eastern oysters in Yaquina bay, under the supervision of the state biologist, \$300."

AMENDMENT.

In the printed bill, strike out the lines 163, 164, 165, 166, 167 and 168.

AMENDMENT.

Add to section 1, the following: "For salaries of district attorneys, which, with the \$9,000 allowed in the general appropriation bill for expenses of the judiciary, equals \$64,000, \$55,000."

On motion of Senator Fulton, the amendments were adopted. Senator Kuykendall moved that the rules be further suspended and that the bill be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—29.

Nays—None.

Absent—Senator Driver.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Adams, Brownell, Cameron, Daly of Benton, Fulton, Harmon, Josephi, Kelly, Kuykendall, Mitchell, Mulkey, Porter, Proebstel, Reed, Smith and Mr. President—16.

Nays—Senators Bates, Clem, Daly of Lake, Haines, Haseltine, Howe, Looney, Mackay, Selling and Wade—10.

Absent—Senators Driver, Dufur, Morrow and Patterson—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 17, 1899.)

Mr. President:

I am directed by the speaker to inform you that he has signed senate bills Nos. 122 and 178.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house bills Nos. 13, 362, 81, 232, 330, 237, house joint resolution No. 8, and house concurrent resolution No. 15.

And the same are herewith transmitted to you for your signature.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 13.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
 SALEM, Oregon, }
 February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 78.

And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
 Chief clerk.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
 SALEM, Oregon, }
 February 17, 1899. }

To the honorable, the president of the senate:

I am directed by the governor to inform you that he has approved and signed the following bills: Senate bills Nos. 54, 171, 53, 107, 228, 34, and house bills Nos. 374, 110, 182, 339, 328, 353 and 222.

WALTER LYON,
 Private secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bills Nos. 5 and 150.

And the same are herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
SALEM, Oregon,
February 17, 1899. }

To the honorable, the president of the senate:

I am directed by the governor to inform you that he has approved and signed the following bills: Senate bills Nos. 231, 109, 96, 164, 88, 141, 22, 93, 83 and 200.

WALTER LYONS,
Private secretary

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bills Nos. 142 and 111.

And the same are herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 146, with the amendments hereto attached:

AMENDMENT.

After the words "Gilliam county," strike out the words "two hundred and fifty dollars," and insert the following: "Four hundred dollars."

AMENDMENT.

After the words "Lane county," strike out "five hundred dollars," and insert "eight hundred dollars."

AMENDMENT.

After the words "Wallowa county," strike out "two hundred and fifty dollars," and insert "three hundred and fifty dollars."

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

On motion of Senator Smith, the senate concurred in the amendments.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
SALEM, Oregon,
February 17, 1899. }

To the honorable, the president of the senate:

I am directed by the governor to inform you that he has approved and signed the following bills: Senate bills Nos. 6 and 114, and house bills Nos. 297, 189, 140, 319, 238, 15, 366, 148 and 329.

WALTER LYONS,
Private secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed senate bill No. 17, with the following amendments:

AMENDMENT.

Strike out all of the enacting clause and insert in lieu the following as an amendment:

Whereas, the Oregon Historical Society has been incorporated and organized under the laws of this state for the purpose of collecting and preserving a library of historical literature relative to the settlement and acquisition of the Oregon territory and relative to the history of this state, and for the accomplishment of other cognate objects of public interest; and

Whereas, said society has agreed to do all of its work and hold all of its collections of material for the use and benefit of all of the people of this state, and the state is interested in the prosecution and success of its objects and should contribute aid to the same.

Section 1. That there be, and hereby is, appropriated from any moneys in the treasury not otherwise appropriated, to the Oregon Historical Society the sum of two [three] thousand dollars (\$2,000) [\$3,000] the same to be paid by the state treasurer to the treasurer of said Oregon Historical Society when available.

Section 2. That the state printer be, and hereby is, authorized and empowered to perform all of the printing for said Oregon Historical Society under the direction of its secretary or board of directors at the cost of the state to the amount and value of five hundred dollars (\$500) for each of the years 1899 and 1900, the computations and measurements of said printing to be the same as otherwise provided and allowed for like classes of work.

Section 3. Inasmuch as said Oregon Historical Society is desirous of immediately entering upon its work, and in order that it may so proceed stands in urgent need of the aid hereby provided, an emergency is declared to exist, and this act shall take effect and be in force from and after its approval by the governor.

And the same is herewith returned to you for enrollment:

A. C. JENNINGS,
Chief clerk.

Senator Fulton moved that the senate concur in the amendments.

The motion was lost, and the senate refused to concur in the amendments.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bills Nos. 39, 143 and 176.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate bills Nos. 39, 143 and 176, and soon thereafter stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1899. }

Mr. President:
I am directed by the speaker to inform you that the house has passed senate bill No. 173.
And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1899. }

Mr. President:
I am directed by the speaker to inform you that the house has passed senate bill No. 147.
And the same is herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1899. }

Mr. President:
I am directed by the speaker to inform you that the house has passed senate bill No. 199.
And the same is herewith returned to you for enrollment

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1899. }

Mr. President:
I am directed by the speaker to inform you that the house has passed senate bill No. 127, by adopting a substitute therefor.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

The chief clerk was instructed to return the same to the house.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1899 }

Mr. President:

I am directed by the speaker to inform you that he has signed house bills Nos. 166, 239, 21, 371, 37, 384, 206 and 263.

And the same are herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 17, 1899 }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bills No. 85, 123, 205, 50, 3 and 126.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate bills Nos. 85, 123, 205, 50, 3, 126, and house bills Nos. 166, 239, 21, 371, 37, 384, 206 and 263, and soon thereafter stated that he had signed the same.

Unanimous consent being given, Senator Mulkey introduced senate resolution No. 21.

SENATE RESOLUTION NO. 21.

Resolved, That the officers of the senate for the twentieth biennial session receive the same compensation as allowed them at the special session; be it further

Resolved, that the expert clerks appointed by the different joint committees to examine the books and accounts of the state institutions be allowed the sum of \$7 per day for such service, to be certified to by the chairman of the different committees.

Senator Mulkey moved the adoption of senate resolution No. 21.

Senator Selling moved to amend the resolution by striking out \$7 and inserting \$5.

The motion prevailed.

The resolution as amended was adopted.

Senator Kuykendall moved that the rules be suspended and that house bill No. 382 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—28.

Nays—Senator Selling.

Absent—Senator Driver.

So the rules were suspended and the bill was read first time by title only.

Senator Selling moved that the bill be indefinitely postponed.

The motion was lost.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1899. }

Mr. President:
I am directed by the speaker to inform you that the house has passed senate bills Nos. 8 and 105.
And the same are herewith returned to you for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1899. }

Mr. President:
I am directed by the speaker to inform you that the house has adopted house joint resolution No. 9, authorizing the secretary of state to provide luncheon for the members of the legislature.
And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE JOINT RESOLUTION NO. 9.

The secretary of state be and he is hereby instructed to provide a luncheon for the members of the legislature, and the expenses incurred thereby shall be audited by the secretary of state, and he is hereby authorized to draw a warrant in payment thereof, and the state treasurer is hereby authorized to pay said warrant out of the funds by this legislature appropriated for legislative purposes.

Senator Dufur moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Dufur, Porter and Reed—4.

Nays—Senators Adams, Brownell, Clem, Daly of Benton, Daly of Lake, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Selling, Smith, Wade and Mr. President—23.

Absent—Senators Cameron, Driver and Proebstel—3.

So the senate refused to concur in the resolution.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 17, 1899. }

Mr. President:

Your committee on enrolled bills, to whom was referred senate bills Nos. 3, 85, 50, 205, 126 and 128, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 17, 1899. }

Mr. President:

Your committee on enrolled bills, to whom was referred senate bills No. 143, 39 and 176, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

SATURDAY, FEBRUARY 18, 1899.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1899. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all of the senators were present.

The morning session of the senate was opened with prayer by Rev. I. D. Driver, D. D.

On motion of Senator Josephi, the reading of the journal of yesterday's proceedings was dispensed with.

Unanimous consent being given, Senator Brownell introduced senate resolution No. 22.

SENATE RESOLUTION NO. 22.

Be it resolved, That the members of the twentieth regular session of the Oregon state senate do hereby extend their sincere thanks of its members to the president of this body, Hon. T. C. Taylor, for the fair and impartial manner in which he has conducted the business of this body as its presiding officer.

On motion of Senator Brownell, the resolution was unanimously adopted by a rising vote.

Unanimous consent being given, Senator Josephi, chairman of the special committee appointed under authority of house concurrent resolution No. 4, special session, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1899. }

Mr. President:

Your committee appointed to examine into and report upon the condition of the Oregon state insane asylum, and to investigate the books and accounts thereof, beg leave to report that we have visited the asylum separately, and as a committee, without notice to those in charge of the institution; that we have made a careful inspection of the buildings and other property; that we have investigated the management of the institution, heard complaints, caused the persons making them to appear before us, and have interviewed others; that we have inquired and examined in the condition of the patients and their treatment, and we have had the books and accounts of the institution carefully examined by expert accountants.

We find the buildings and grounds well kept and in good repair, and the patients, so far as we could judge, well and properly cared for, so far as the capacity of the buildings, which is inadequate to the wants of the large number of inhabitants, permits. We inspected the food and dietary and found the same satisfactory. More room is needed, and we suggest that a new three story wing be erected with a capacity for one hundred and twenty patients. We are strongly impressed with the unfortunate conditions that require all cases, both acute and chronic, curable and incurable, to be kept in one institution. It would enure to the benefit of both the state and insane if it could be arranged that the incurable cases could be kept in separate institutions, but under present circumstances this is impossible.

We found several feeble minded children whose condition can and ought to be improved by placing them in a school for the feeble minded. Such an institution this state does not possess, and some effort ought to be made to bring not only the cases referred to, but others similarly afflicted, who are now in orphanages and homes throughout the state, into favorable surroundings for improvement of their mental condition. Your committee is of the opinion that this can be accomplished without the creation of another department of charitable institutions, by appropriating the building now occupied by the school for deaf mutes for the purposes of a school for feeble minded, under the general direction of the board of trustees of the insane asylum and the special supervision of the superintendent of the asylum. The details could be easily arranged by the board and officer referred to. Of course such an arrangement would presuppose a change in the location of the school for deaf mutes, which has been recommended by the proper committee.

So far as the internal affairs of the asylum are concerned, our attention has been called to several matters in criticism of the management which we have carefully examined into and are satisfied rest upon no just grounds for complaint.

One circumstance has come to our attention which deserves notice. On October 15, 1898, through the careless neglect by an attendant of the rule regarding the locking of the bathroom door, an imbecile child was carried by a patient, under the direction of the attendant, to the bathroom to be cleansed. The attendant did not follow quickly enough upon the heels of the patient carrying the child, and when the former arrived in the bathroom (according to his own statement, not more than half or three-quarters of a minute after the patient) the scalding hot water had been turned into the tub, coming in contact with the recumbent form of the child so as to produce an extensive scald, from the effects of which the child died the next day. The attendant was discharged the evening of the day of the unfortunate occurrence. No judicial investigation was held. We attach no blame to the management for this terrible result of criminal negligence, but submit that a judicial investigation should have been made in the manner provided by law in order that the guilt might be fastened where it belongs.

Inasmuch as much publicity has been given to a statement that many of the babies received at the home opposite the asylum, were received from the latter institution, we have deemed it our duty to investigate and place on record the facts regarding this matter.

These investigations cover the entire period during which the state insane asylum has been in operation.

The records of the Glen Oak Orphans' Home of Salem (the home referred to) show that the following named babies were received; initials instead of the full name are given for obvious reasons:

- H. — S. —, received March, 1885, age one year.
- D. — P. — C. —, June 24, 1887, age one month.
- T. — S. —, July 24, 1897, age three months and four days.
- I. — W. — P. —, December 14, 1898, aged three months.

The records of the insane asylum give the following information as to admission of patients and case history :

M. — A. — S. —, received December 14, 1883 (says she is about five months pregnant), male child born (no date) presumed about March, 1884.

R. — C. —, received March 17, 1887, male child born May 28, 1887.

A. — M. — S. —, received August 18, 1896, male child born April 18, 1889.

A. — P. —, received August 5, 1898, male child born November 20, 1898.

From the above it will be seen that each of these patients was pregnant at the time of admission to the asylum, and that the babies received at the home were the identical babies born at the asylum as stated.

The expert accountants appointed by your committee have made a thorough investigation of the books and accounts of the institution. Every facility has been accorded them by which they have been enabled to make their investigations searching and complete. Each and every bill contracted on account of the asylum from January 1, 1895 to December 31, 1898, has been inspected and found correctly entered in the books; and every voucher for warrants drawn by the secretary of state correspond with each and every bill, and all of said warrants have been paid, except for the bills of the Northwest Stove Foundry, amounting in the aggregate to \$780.13; these warrants have been drawn by the secretary of state, but are now held in the office of the governor and not paid.

With regard to the private funds of the patients, we find that the superintendent of the asylum has opened an account with each patient, for whom funds have been deposited, credits have been entered and the several amounts drawn against the same have been debited accordingly and receipted bills taken for all purchases made.

We think Mr. Roland, bookkeeper of the asylum, is entitled to great credit for the thorough, systematic and correct method of auditing and keeping the accounts of the institution, and finally we wish to thank the superintendent and officials for the courteous and obliging manner in which they have extended to us every facility in the making of our investigation.

S. E. JOSEPHI,
Chairman of senate committee.
GEORGE H. HILL,
Chairman of house committee.

SUPPLEMENT ACCOUNT

Of the articles consumed in the Oregon state insane asylum from December 1, 1896 to November 30, 1898.

Flour	\$ 12,516 77
Meat	24,655 20
Sugar	7,049 39
Tea	1,450 20
Syrup	2,146 29
Butter	6,203 67
Coffee	3,824 85
Fish	3,231 27
Poultry and eggs	2,614 78
Beans and peas	1,158 76
Workhorses and harnesses	325 00
Potatoes	1,172 55
Corn meal	115 40
Fruit	2,150 79
Salt	520 44
Vinegar	192 02
Small groceries	2,432 80
Rice	1,045 89
Drugs	4,462 75
Tobacco	2,280 60

Dry goods	8,288 81
Clothing and hats	1,367 07
Shoes and leather	2,834 52
Soap, tallow and caustic	936 86
Crockery and furniture	1,514 91
Hardware and tinware	1,815 82
Spoons and cutlery	248 71
Grain and feed	2,532 14
Garden tools and seed	292 95
Wagons	130 00
Brooms and brushes	623 06
Books and stationary	475 01
Coal oil	198 07
Paints, oils and glass	719 34
Fuel	13,363 98
Insurance	1,802 70
Lard	56 95
Oatmeal and rolled oats	988 36
Expense	4,478 31
Amusements	460 66
Building material and repairs	2,177 81
Sewing machines	72 00
Farming	425 09
Wire cable for stump puller	29 00
Spring tooth harrow	20 00
Stock for breeding purposes	125 00
Blankets	2,339 70
Lumber	387 25
Cracked wheat	490 66
Bluestone	18 52
Twine	107 75
Threshing grain	149 85
Bedding	375 71
Total	\$ 129,695 99

SUPPLEMENT ACCOUNT

Showing the cost of the different departments from December 1, 1896 to November 30, 1898.

Kitchen and dining room	\$ 53,675 33
Male department	8,658 24
Female department	5,020 42
Laundry	961 27
Engine room	5,126 20
Farm, garden and dairy	3,154 36
Repairs	2,177 81
Drug store	4,451 94
Sewing room	5,036 89
Office	319 95
Stanley farm	13,309 90
Expense	4,478 31
Amusements	556 67
Carpenter shop	1,011 00
Factory	2,540 85
East cottage	37 56
West cottage	18 45
Bakery	11,671 04
Stable	314 76
Center building	1,171 46
Infirmery	2,348 95
Tailor shop	1,856 93
Insurance	1,802 70
Total	\$ 129,695 99
Amount of pay roll	129,664 79
Pay of board of trustees and clerks	2,000 00
Grand total	\$ 261,960 78

Respectfully submitted,

S. E. JOSEPHI,
Chairman of senate committee.
GEORGE H. HILL,
Chairman of house committee.

By direction of the president, the report was received and placed on file.

Unanimous consent being given, Senator Kelly, chairman of the committee on revision of laws, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1899. }

Mr. President:

Your committee on revision of laws, to whom was referred senate joint resolution No. 14, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

PERCY R. KELLY.
Chairman.

Senator Fulton moved the adoption of senate joint resolution No. 14.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—28.

Nays—None.

Absent—Senators Kelly and Patterson—2.

So the resolution was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 23, pertaining to final adjournment.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 23.

Resolved by the house, the senate concurring, That the action by which senate concurrent resolution No. 10 was adopted be and the same is hereby rescinded.

Senator Mulkey moved that the senate concur in house concurrent resolution No. 23.

On motion of Senator Kuykendall, house concurrent resolution No. 23 was laid on the table.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has refused to concur in senate amendments to house bill No. 383.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

Unanimous consent being given, Senator Reed introduced senate concurrent resolution No. 15.

SENATE CONCURRENT RESOLUTION NO. 15.

Resolved, That the senate adhere to the amendments made by the senate to house bill No. 383, and that it request of the house a conference committee, composed of two members of the senate and two members of the house, to be appointed respectively by the president of the senate and speaker of the house, to confer concerning the difference.

On motion of Senator Reed, senate concurrent resolution No. 15 was adopted.

The president appointed Senators Reed and Mackay, on the part of the senate, as members of the committee provided under senate concurrent resolution No. 15.

Unanimous consent being given, Senator Fulton introduced senate concurrent resolution No. 16.

SENATE CONCURRENT RESOLUTION NO. 16.

Resolved, That the senate do not concur in the adoption of the amendments to senate bill No. 17, reported from the house, and that a conference with the house thereon be requested, a committee of two from the senate and two from the house to be appointed therefor.

On motion of Senator Fulton, senate concurrent resolution No. 16 was adopted.

The president appointed Senators Fulton and Morrow as members of the committee, on the part of the senate, as provided by senate concurrent resolution No. 16.

On motion of Senator Mulkey, house joint resolution No. 4 was taken from the table.

On motion of Senator Mulkey, the amendments were adopted. Senator Mulkey moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Mitchell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—30.

Nays—None.

So house joint resolution No. 4 was concurred in as amended.

Unanimous consent being given, Senator Mitchell introduced senate resolution No. 23.

SENATE RESOLUTION NO. 23.

Resolved by the senate, That the pay to be allowed the clerks of the engrossing and enrolling committees of the senate at this session be as follows: Chief clerk of engrossing committee, \$6 per day; assistant clerk of engrossing committee, \$5 per day; all other clerks of the engrossing committee, \$4 per day; chief clerk of enrolling committee, \$6 per day; assistant clerk of enrolling committee, \$5 per day; all other clerks of the enrolling committee, \$4 per day.

Resolved further, that committees of the senate where only one clerk is employed, shall be deemed a chief clerk and shall receive \$5 per day.

Senator Mitchell moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Cameron, Daly of Benton, Dufur, Fulton, Haines, Harmon, Mitchell, Mulkey, Patterson, Porter, Reed and Mr. President—13.

Nays—Senators Adams, Bates, Clem, Driver, Haseltine, Howe, Josephi, Kuykendall, Looney, Mackay, Morrow, Proebstel, Selling and Smith—14.

Absent—Senators Daly of Lake, Kelly and Wade—3.

So the senate refused to adopt senate resolution No. 23.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 15, providing for a

conference committee of house and senate relative to the disagreement of said bodies on house bill No. 383, and has appointed on the part of the house Messrs. Beach and Flagg.

And the same is herewith transmitted to you for the consideration of the senate and for enrollment.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,)
SALEM, Oregon,)
February 18, 1899.)

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 23, fixing the compensation of the joint committee to examine the books and accounts of the secretary of state.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 24.

Resolved by the house, the senate concurring, That the clerks employed on the joint committee to examine the books and accounts of the secretary of state and state treasurer be allowed seven (\$7) dollars per day.

Senator Selling moved that the senate do not concur in house concurrent resolution No. 24.

The motion prevailed.

Unanimous consent being given, Senator Brownell introduced senate resolution No. 24.

SENATE RESOLUTION NO. 24.

Whereas, many petitions of resident tax-payers of Multnomah and Clackamas counties have been introduced at this session of the senate relative to the state investigating the advisability of purchasing the Mount Hood and Barlow Road from the stockholders of the Mount Hood and Barlow Road Company, and making it a public highway for the use of all; therefore, be it

Resolved, That the president of the senate appoint a committee of three senators to investigate as to the advisability of the state of Oregon purchasing said road and making it a free highway over the Cascade mountains, and report their findings at the meeting of the twenty-first biennial session of this senate; said committee to serve without compensation or expense to the state, now or hereafter.

Senator Brownell moved the adoption of the resolution.

The motion was lost.

Unanimous consent being given, Senator Looney, chairman of the committee appointed under house concurrent resolution No. 1, to examine the books and accounts of the state treasurer, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 16, 1899. }

Your special committee appointed under house concurrent resolution No. 1, to examine the books and accounts of the state treasurer, having performed the duty assigned us, beg leave to submit the following report:

The resolution under which we were appointed delegated us no further authority than to examine the books and accounts of the department without reference to dates. Inasmuch, however, as the books for the two years ending December 31, 1896, were, by reason of the nonorganization of the legislative assembly of 1897, never examined, and the requisite clerical assistance having been accorded us, the examination was commenced with the term beginning January 1, 1895, and carried through systematically to the close of the biennial term ending December 31, 1898, thus covering a period of four years, or two biennial terms, and we herewith submit our findings, in accordance therewith.

Acting under the authority of your resolution, we employed competent and expert accountants, who, by our direction, and under such personal supervision as our other legislative duties would permit us to give to the investigation, have ascertained the following facts.

Commencing with the detailed statement of receipts of January 1, 1895, after carefully checking the duplicate receipts issued by the state treasurer, as filed in the office of the secretary of state, in accordance with law, with the entries in the state treasurer's cash book of receipts, as well as the corresponding entries in the ledger, we have found all items correctly entered, and the footings correctly figured in every detail, and have detected no errors in the receipts of the department.

In the matter of disbursements we have carefully checked every state warrant paid by the state treasurer with the entries in the cash book of disbursements, and from thence to the ledger, and have been unable to detect any errors that would in any way affect the financial department of our commonwealth.

Every item, with the single exception noted below, has been correctly entered, and every footing correctly figured.

The disbursements from the various trust funds, as made by the board of school land commissioners, are accounted for, either by notes and mortgages, representing loans, or by the official receipts of the county treasurers for the apportionment of interest arising from the investment of the common school fund.

Your committee finds, however, that the printed report of the state treasurer to the legislative assembly of 1897, page 253, shows that under date of August 23, 1895, a loan of \$200 was made from the agricultural college fund to one Z. S. Derrick. The amount was correctly entered in the cash book of disbursements, but the note itself was inadvertently filed with those of the common school fund. Interest payments having since been received and credited on the note, and the amounts placed to the credit of the common school fund interest, necessitated the transfer on the books of the de-

partment of the amount of the loan (\$200) from the agricultural college fund to the common school fund. The necessary transfer has been properly made on the books of the department.

We have also carefully checked the balances as carried forward from the biennial term of 1895-'6 to that of 1897-'8, and find them correct.

Commencing next with the biennial term of 1897-'8, we have followed the same system of comparison and checking, and are pleased to report that we have been unable to detect an error in the books of the department.

All entries have been accurately made, as evidenced by checking the same with the duplicate receipts, on file in the office of the secretary of state, and the state warrants; and the amounts correctly carried forward to the ledger, and accurately footed therein.

We have, also, made a careful examination of the notes and mortgages, covering the loans made by the board of school land commissioners from the various trust funds, including the common school fund, the university fund, and the agricultural college fund. We find that the various payments of principal and interest on those now in the custody of the department, have been correctly indorsed as shown by comparison of the same with the duplicate receipts, and have also been correctly entered on the cash book of receipts, and from thence carried forward to the ledger. All notes reported on hand in the biennial reports of 1895 and 1897 have been duly accounted for, and a detailed history of the same entered in the "note register" of the department. The biennial report of the state treasurer for the term ending December 31, 1898, shows in detail the condition of the trust fund notes now in custody of the state treasurer, together with a list of notes in course of collection, or upon which a settlement has been effected by order of the board of school land commissioners.

The transfer of funds and securities from the retiring to the incoming state treasurer was satisfactorily effected on the ninth of January, and the duplicate receipts covering the respective amounts have been filed in the office of the secretary of state.

A few unimportant errors, typographical and otherwise, have been discovered in the printed report. They do not, however, affect the accuracy of the books of the department, and the balances on hand, December 31, 1898, are found to be correct as shown by the printed report.

We find the books and records of the office neatly and accurately kept, and in every detail creditable to the officer in charge as well as to those in his employ.

In conclusion, we can but acknowledge the courtesy and kindly assistance rendered your committee and the clerks in their employ by the officers and clerks of the treasury department, who have offered us every facility for a careful and conscientious examination of the books and records of the office.

Very respectfully submitted,

N. H. LOONEY,
J. W. MORROW,
Senate committee.
R. E. MOODY,
W. A. MASSINGILL,
D. A. McALLISTER,
House committee.

By direction of the president, the report was received and placed on file.

House bill No. 382 coming on for second reading, Senator Kuykendall moved that the rules be suspended and that the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were--

Senators Adams, Bates, Brownell, Cameron, Clem, Daly of Benton, Daly of Lake, Driver, Dufur, Fulton, Haines, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Smith, Wade and Mr. President—29.

Nays—Senator Selling.

So the rules were suspended and the bill was read second time by title only.

Senator Porter demanded a call of the senate.

The roll was called, and those present were Senators Adams, Bates, Cameron, Daly of Benton, Daly of Lake, Driver, Fulton, Harmon, Haseltine, Howe, Josephi, Kelly, Kuykendall, Looney, Mackay, Michell, Morrow, Mulkey, Patterson, Porter, Proebstel, Reed, Selling, Smith, Wade and Mr. President—26.

Absent—Senators Brownell, Clem, Dufur and Haines—4.

Senator Clem was noted present.

On motion of Senator Selling, further proceedings under the call of the senate were dispensed with.

On motion of Senator Kuykendall, the senate arose and resolved itself into a committee of the whole for the consideration of house bill No. 382.

Senator Michell was called to the chair.

The committee of the whole arose, and, after the senate was called to order, Senator Michell, chairman of the committee of the whole, reported progress and asked for further time, which was granted.

Senator Fulton moved that the senate rescind in its former action on house concurrent resolution No. 23, and the same be taken from the table.

The motion prevailed.

Senator Kuykendall moved that the senate concur in house concurrent resolution No. 23.

Senator Fulton moved the previous question.

The motion prevailed.

On motion of Senator Fulton, the senate concurred in house concurrent resolution No. 23.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 25, that the matter of

fixing compensation of joint committee clerks be referred to conference committee on house bill No. 383.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 25.

Resolved by the house, the senate concurring, That the matter of fixing the compensation of the clerks on joint committees be referred to the committee on conference appointed by house and senate on the appropriation bills.

On motion, the senate concurred in house concurrent resolution No. 25.

The president declared a recess.

The senate was called to order at 2 o'clock p. m. by the president.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed house joint resolution No. 4, and house concurrent resolutions Nos. 23 and 25.

And the same are herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house joint resolution No. 4, house concurrent resolutions Nos. 23 and 25, and soon thereafter stated that he had signed the same.

Senator Fulton, chairman of the conference committee on the part of the senate to consider house amendments to senate bill No. 17, submitted the following report:

REPORT.

SENATE CHAMBER, }
SALEM, Oregon, }
February 18, 1899. }

Mr. President:

Your committee appointed to confer with a committee of two from the house, in relation to the amendment made in the house to senate bill No. 17, beg leave to report as follows:

The conference committee agreed to the house amendment with the following amendments:

AMENDMENT.

1. Amend section 1 of the bill as amended by the house by striking out the words and figures "two thousand dollars (\$2,000)" and insert in lieu thereof the words and figures "three thousand dollars (\$3,000)."

AMENDMENT.

2. Amend section 2 of the bill as amended by the house by striking out the words and figures "one thousand dollars (\$1,000)" and insert in lieu thereof the words and figures "five hundred dollars (\$500)."

We recommend that the bill be so amended, and that the house amendment being so amended, be adopted.

C. W. FULTON,
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted the report of the conference committee of the house and senate, appointed to confer upon the disagreement of the house and senate relative to amendments to senate bill No. 17, hereto attached:

AMENDMENT.

Amend section 1 of the bill as amended by the house by striking out the words and figures "two thousand dollars (\$2,000)" and insert in lieu thereof the words and figures "three thousand dollars (\$3,000)."

AMENDMENT.

Amend section 2 of the bill as amended by the house by striking out the words and figures "one thousand dollars (\$1,000)" and insert in lieu thereof the words and figures "five hundred dollars (\$500)."

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
SALEM, Oregon, }
February 18, 1899. }

To the honorable, the president of the senate:

I am directed by the governor to inform you that he has approved and signed the following bills: Senate bills Nos. 72, 84, 97, 144, 185 and 224, and house bills Nos. 92, 108 and 143.

WALTER LYON,
Private secretary.

Senator Patterson, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President: February 18, 1899.)

Your committee on enrolled bills, to whom was referred senate bills Nos. 78, 199, 8, 150, 146, 111, 147, 5, 105, 20, 142, 173 and 236, and senate joint resolution No. 13, senate concurrent resolutions Nos. 14 and 15, beg leave to report the same back to the senate as correctly enrolled.

G. W. PATTERSON,
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,

Mr. President: February 18, 1899.)

I am directed by the speaker to inform you that he has signed senate bills Nos. 150, 111, 146, 8, 199, 142, 5, 105, 173, 78, and 147, senate concurrent resolutions Nos. 14 and 15, and senate joint resolution No. 13.

And the same are herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign senate bills Nos. 150, 111, 146, 8, 199, 142, 5, 105, 173, 78 and 147, senate concurrent resolutions Nos. 14 and 15, and senate joint resolution No. 13, and soon thereafter stated that he had signed the same.

Unanimous consent being given, Senator Mulkey, chairman of the committee on assessment and taxation, submitted the following report:

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President: February 16, 1899.)

Your committee on assessment and taxation, to whom was referred house concurrent resolution No. 20, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

B. F. MULKEY,
Chairman.

Unanimous consent being given, Senator Mulkey called up house concurrent resolution No. 20.

On motion of Senator Mulkey, the resolution was concurred in.

Unanimous consent being given, Senator Reed introduced senate joint resolution No. 20.

SENATE JOINT RESOLUTION NO. 20.

Whereas, by reason of errors in the matter of the reduction of assessments on money, notes and accounts made by Douglas county, and the subsequent reason of increasing the assessment of the same by the state board of equalization for the year 1892, and by reason of said errors in the estimation, the state treasurer has the amount of \$1,073.43 charged up against Douglas county on the books of his office, and

Whereas, Douglas county is unable to collect the same therefor; be it

Resolved by the senate, the house concurring, That the state treasurer is hereby directed and empowered to credit Douglas county with the amount of \$1,073.43 upon the books of his office.

Senator Reed moved the adoption of the resolution.

Senator Josephi moved to amend by referring to the committee on assessment and taxation.

The motion to amend was lost.

The original motion being put, the resolution was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
Salem, Oregon, }
February 17, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 26, relating to the pay of clerks on joint committees.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 26.

We, the conference committee, recommend that all clerks sworn in on joint committees of the house and senate receive salaries as follows: Chief clerks, \$7 per day; expert clerks, \$7 per day; other clerks, \$5 per day; therefore, be it

Resolved by the house, the senate concurring, That they hereby direct the secretary of state to draw warrants in accordance with above recommendation.

On motion of Senator Mackay, the senate concurred in house concurrent resolution No. 26.

Unanimous consent being given, Senator Reed introduced senate resolution No. 25.

SENATE RESOLUTION NO. 25.

Whereas, the service of Miss Jessie Samuels as chief clerk of the committee on engrossed bills has been invaluable to the Oregon legislature during the session now about to close; and

Whereas, the salary allowed Miss Samuels is not commensurate with the high character of her services.

Be it resolved, That as a token of appreciation of her worth, and as a just recognition of faithful and efficient labors, Miss Samuels shall be paid \$7.00 per day for a period of forty-one days.

On motion of Senator Reed, the resolution was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
February 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has adopted the report of the conference committee of the house and senate who met to confer in regard to the disagreement of said bodies as to amendments to house bill No. 383.

And the same is herewith transmitted to you for the information of the senate.

A. C. JENNINGS,
Chief clerk.

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1899. }

Mr. President:

Your conference committee to whom was referred amendments to house bill No. 383, beg leave to report that we have had the same under consideration, and respectfully report them back to the senate with the recommendation that they be adopted.

AMENDMENTS.

No. 4, line 4, of the printed bill, strike out the name of "O. B. Estes," and insert in lieu thereof, "Board of examiners of the state of Oregon."

That lines 8 and 9 be restored as in original printed bill.

Strike out item, "For bridges and approaches across Wolf creek, Rock creek and Boorman creek, in Josephine county, for the encouraging of mining, etc., in engrossed bill, \$2,500."

Concur in amendment No. 4, in engrossed bill, strike out the item "From trust funds, in the common school, for salary of clerk of land commissioners, \$3,000."

Concur in senate amendment No. 5, in engrossed bill, strike out the item, "For maps, attorneys fees and other expenses incidental to the management and sale of common school land and state land, \$6,000."

No. 6, in engrossed bill, that the committee concur in amendment No. 6, in engrossed bill, to strike out the item, "For clerical services in treasurer's office and keep an account of school funds, notes and mortgages, \$3,000."

That the conference committee concur in senate amendment No. 7, in engrossed bill, to strike out the item, "For repayment of moneys paid on swamp lands to which the state cannot give title, under acts of 1887, 1889 and 1891, \$12,000."

No. 8, that the conference committee concur in amendment No. 8, that after the word "fair," line 31, in the printed bill, insert the following: "*Provided*, That this amount be accepted in full settlement of all claims against the state of Oregon."

That the conference committee do not concur in senate amendment No. 9; that line 59 be restored as it appears in printed bill.

That the conference committee concur in amendments Nos. 10 and 11, giving to Mr. Baker \$1,500 in full of all accounts, and Mr. Luce \$1,500 in full of all accounts.

Amendment No. 12 is concurred in by committee. Strike out all of line 85, printed bill.

Amendment No. 13. Have line 86 made to read: "For printing supreme court reports, \$8,400.

That committee refuses to concur in No. 14, and restores the item in engrossed bill to \$15,000.

We do not concur in senate amendment No. 15. We restore the item as it appears in line 130 of printed bill.

We concur in senate amendment No. 16, striking out amount for baby's home, \$4,000.

We concur in senate amendments Nos. 17 and 18, making the total amount in lines 156-7-8-9 to read \$394 12.

We do not concur in senate amendment No. 19, but restore the item as in engrossed bill.

That senate amendment No. 20 be not concurred in. That the lines 163-4-5-6-7-8 be restored as in printed bill.

We concur in senate amendment No. 21 and add the following to section 1 of engrossed bill: "For salaries of district attorneys, which, with the \$9,000 allowed in the general appropriation bill for expenses of judiciary equals \$64,000, \$55,000

DONALD MACKAY,
A. W. REED,
E. H. FLAGG,
S. C. BEACH,
Conference Committee.

Senator Mackay moved the adoption of the report.

Senators Selling and Josephi demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Cameron, Daly of Benton, Driver, Fulton, Harmon, Kuykendall, Locney, Mackay, Michell, Mulkey, Patterson, Porter, Proebstel, Reed and Mr. President—15.

Nays—Senators Adams, Bates, Clem, Daly of Lake, Haseltine, Howe, Josephi, Kelly, Selling, Smith and Wade—11.

Absent—Senators Brownell, Dufur, Haines and Morrow—4.

So the report was adopted.

Unanimous consent being given, Senator Daly of Lake, introduced the following testimonial:

SENATE TESTIMONIAL.

Whereas, we the undersigned, representing the minority in the senate, are desirous of expressing our high appreciation of its presiding officer; therefore

Be it resolved, That the minority members of this senate hereby extend our sincere thanks to Hon. Thomas C. Taylor, president of this senate, for the fair and impartial manner in which he has conducted the business of the senate as its presiding officer.

B. Daly, representing Crook, Klamath and Lake; Justus Wade, representing Union and Wallowa; William Smith, representing Baker and Malheur; J. W. Morrow, representing Morrow, Grant and Harney; E. B. Dufur, representing Gilliam, Sherman and Wasco; J. Clem, representing Linn.

On motion of Senator Daly of Lake, the testimonial was unanimously adopted, and the same was ordered spread upon the journal of the senate.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
SALEM, Oregon, }
February 18, 1899. }

To the honorable, the president of the senate:

I am directed by the governor to inform you that he has approved and signed the following bills: Senate bills Nos. 143, 136, 126, and house bills Nos. 237, 239, 37, 232, 13 and 330.

WALTER LYON,
Private secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed senate bill No. 17.

And the same is herewith returned to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about senate bill No. 17, and soon thereafter stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that he has signed

house bills Nos. 372 and 383, and house concurrent resolutions Nos. 20 and 26.

And the same are herewith transmitted to you for your signature.

A. C. JENNINGS,
Chief clerk.

The president announced that he was about to sign house concurrent resolutions Nos. 20 and 26, and house bills Nos. 372 and 383, and soon thereafter stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }
SALEM, Oregon, }
February 18, 1899. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house concurrent resolution No. 28, relating to the final adjournment of the twentieth biennial session of the legislative assembly of the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

A. C. JENNINGS,
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 28.

Resolved by the house, the senate concurring, That the twentieth biennial session of the legislative assembly of the state of Oregon adjourn without day on Saturday, the eighteenth day of February, 1899, at 7 o'clock p. m. of said day.

On motion of Senator Fulton, the senate concurred in the resolution.

On motion of Senator Fulton, Frank Davey was allowed three days' pay for services as reading clerk, at the same per diem as allowed that officer of the senate.

On motion of Senator Michell, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

CERTIFICATE OF CLERKS.

SENATE CHAMBER,
SALEM, Oregon,
March 10, 1899. }

We, S. L. Moorhead, chief clerk, and F. C. Middleton, calendar clerk of the senate, do hereby certify that the foregoing is a true and correct journal of the proceedings of the twentieth biennial session of the Oregon state legislature, and of the proceedings of the joint convention of both houses, from January 9, 1899, to February 18, 1899, inclusive.

S. L. MOORHEAD,
Chief Clerk.
F. C. MIDDLETON,
Calendar Clerk.

CERTIFICATE OF APPROVAL.

SENATE CHAMBER,
SALEM, Oregon,
March 10, 1899. }

We, your committee appointed under authority of senate resolution No. 18, to examine, correct and approve the journal of the senate of the twentieth biennial session of the legislative assembly of the state of Oregon, beg leave to report that we have performed the duty assigned to us, and hereby approve the same.

A. W. REED,
Committee.

CERTIFICATE OF THE SECRETARY OF STATE.

OFFICE OF THE SECRETARY OF STATE,
SALEM, Oregon,
May 26, 1899. }

I, F. I. Dunbar, do hereby certify that I am the secretary of state of the state of Oregon, and custodian of the seal of said state; that the foregoing 1,184 (type-written) pages contain a true transcript of the journal of the proceedings of the senate of the twentieth legislative assembly of the state of Oregon at the regular session held from January 9, 1899, to February 18, 1899, as the same appears on file in my office and custody.

[L. S.] IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed hereto the seal of the state of Oregon. Done at the capitol, at Salem, Oregon, this twenty-sixth day of May, A. D. 1899.

F. I. DUNBAR,
Secretary of state.

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HOUSE BILL NO. 2—

Mr. Moody. A bill for an act to increase the number of justices of the supreme court.

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Mr. Flagg. A bill for an act to amend sections 1421, 1422, 1433, 1434, 1435, 1437, 1440, 1442, and 1451, and to repeal section 1423, Hill's annotated laws of Oregon, relating to appeals and stays of execution in cases of judgments inflicting death penalty.

Passed the house.....	455
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HOUSE BILL NO. 5—

Mr. Freeland. A bill for an act to amend section 149, Hill's annotated laws of Oregon, and repealing section 151, Hill's annotated laws of Oregon, relating to attachments of real and personal property by sheriffs.

Passed the house.....	221
Read first time.....	321
Read second time by title.....	504
Referred to committee on judiciary.....	504
Reported back favorably.....	727

HOUSE BILL NO. 6—

Mr. Gray. A bill for an act to amend sections 2562, 2563, and 2564 of the miscellaneous laws of Oregon, relating to the duties and compensation of electors of president and vice president.

Passed the house.....	467
Read first time by title.....	499
Read second time by title.....	633
Referred to committee on revision of laws.....	633

HOUSE BILL NO. 7—

Mr. Morton. A bill for an act to provide for the dissolution of corporations.	
Passed the house.....	221
Read first time by title.....	321
Read second time by title.....	504
Referred to committee on municipal corporations.....	505
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HOUSE BILL NO. 9—

Mr. Morton. A bill for an act to require the fencing of the trunk line railroad between Portland and Huntington.	
Passed the house.....	449
Read first time by title.....	494
Read second time by title.....	628
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HOUSE BILL NO. 10—

Mr. Reeder. A bill for an act prescribing the duties and compensation of county surveyors in establishing boundary lines and corners, and in the establishment and construction of county roads, bridges and public works.	
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HOUSE BILL NO. 11—

Mr. Curtis. A bill for an act to prohibit false labeling of salmon fish and fruits.	
Passed the house.....	416
Read first time by title.....	486
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Referred to committee on judiciary.....	618
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HOUSE BILL NO. 13—

Mr. Curtis. A bill for an act to regulate sturgeon fishing.	
Passed the house.....	366
Read first time by title.....	431
Read second time by title.....	612
Referred to committee on fishing industries.....	612
Reported back favorably.....	659
Read third time.....	826
Passed.....	826
Signed by the speaker.....	840
Signed by the governor.....	865

HOUSE BILL NO. 14—

Mr. Whalley. A bill for an act to amend section 860, Hill's annotated laws of Oregon, relating to the selection of jurors to serve in circuit courts.	
Passed the house.....	252
Read first time by title only.....	323
Read second time by title.....	505
Referred to committee on judiciary.....	505

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Mr. Moody. A bill for an act to provide for criminal prosecution upon information.	
Passed the house.....	365
Read first time by title.....	482

Read second time by title.....	612
Referred to committee on judiciary.....	613
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Passed	815
Signed by the speaker.....	833
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Passed the house.....	401
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Mr. Gray. A bill for an act requiring towns and cities to submit proposed charter or amendment to charter to the electors of their respective towns or cities before being introduced in the legislature.	
Passed the house.....	865
Read second time by title.....	613
Referred to committee on judiciary.....	613
Reported back with the recommendation that it do not pass	728
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Mr. Bayer. A bill for an act to regulate the doing of public works.	
Passed the house.....	239
Read first time by title	324
Read second time by title.....	505
Referred to committee on public buildings	505
Reported back amended.....	580
Amendments adopted	580
HOUSE BILL NO. 20—	
Mr. Blackaby, A bill for an act authorizing county judges and school clerks to bid on property sold for taxes.	
Passed the house.....	448
Read first time by title.....	494
Read second time by title.....	628
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Mr. Morton. A bill for an act to cure defects in deeds heretofore made to real property, etc., and to cure defects in judicial sales, etc.	
Passed the house.....	222

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Signed by the speaker	845
Signed by the president	845

HOUSE BILL NO. 22—

Mr. Reeder. A bill for an act to amend subdivisions "B," "C," "J" and "V" of sections 16 and 20 of an act to incorporate the city of Adams, etc.	
Passed the house.....	150
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Referred to committee on municipal corporations.....	184
Reported back favorably.....	301
Read third time	328
Passed.....	328
Signed by the speaker	584
Signed by the president	584
Signed by the governor.....	654

HOUSE BILL NO. 23—

Mr. Curtis. A bill for an act to amend section 2826, title VI, chapter XVII, relative to the sale of real estate for delinquent taxes.	
Passed the house	464
Read first time by title	499
Read second time by title.....	683
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HOUSE BILL NO. 25—

Mr. Curtis. A bill for an act to amend section 4 of an act to create the office of attorney-general.	
Passed the house.....	965
Read first time by title.....	488
Read second time by title.....	613
Referred to committee on revision of laws.....	614

HOUSE BILL NO. 26—

Mr. Gray. A bill for an act to regulate the opening of doors to public buildings.	
Passed the house	222
Read first time.....	321
Read second time by title.....	506
Referred to committee on public buildings.....	506
Reported back favorably.....	580

HOUSE BILL NO. 30—

Mr. Gregg. A bill for an act allowing executors and administrators to complete the written contracts of decedents.	
Passed the house.....	366
Read first time by title.....	484
Read second time by title.....	614
Referred to committee on judiciary.....	614
Reported back favorably.....	728

HOUSE BILL NO. 82—

Mr. Flagg. A bill for an act to protect wild ducks in the state.

Passed the house.....	422
Read first time by title.....	489
Read second time by title.....	622
Referred to committee on judiciary.....	623
Reported back favorably.....	727

HOUSE BILL NO. 83—

Mr. Morton. A bill for an act to amend section 159, title XV, chapter I of the code of civil procedure, relating to attachments.

Passed the house.....	367
Read first time by title.....	484
Read second time by title.....	614
Referred to committee on revision of laws.....	614

HOUSE BILL NO. 84—

Mr. Cumminga. A bill for an act to amend section 2845, Hill's laws of Oregon, relating to fees of coroners.

Passed the house.....	153
Read first time.....	184
Read second time.....	196
Referred to committee on judiciary.....	196

HOUSE BILL NO. 86—

Mr. Hill. A bill for an act to provide for and regulate elections, and require the registration of voters for election purposes.

Passed the house.....	465
Read first time by title.....	500
Read second time by title.....	633
Referred to committee on judiciary.....	634

HOUSE BILL NO. 87—

Mr. Fordney. A bill for an act to annex to Wallowa county a portion of Union county and to change and fix the boundaries of Wallowa county.

Passed the house.....	252
Read first time by title.....	322
Read second time by title.....	506
Referred to committee on counties.....	506
Reported back favorably.....	734
Read third time.....	830
Passed.....	830
Signed by the speaker.....	845
Signed by the president.....	845
Signed by the governor.....	865

HOUSE BILL NO. 88—

Mr. Hill. A bill for an act relating to pilotage on the Columbia and Willamette rivers.

Passed the house.....	317
Read first time by title.....	326
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Referred to committee on commerce and navigation.....	326
Read third time.....	391
Passed.....	394
Signed by the speaker.....	547

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HOUSE BILL NO. 40 —

Mr. Myers. A bill for an act to create the office of state biologist without salary.	
Passed the house	150
Read second time by title	184
Referred to committee on medicine, pharmacy and dentistry	184
Reported back without recommendation	247
Read third time	327
Passed	327
Signed by the speaker	392
Signed by the president	392

HOUSE BILL NO. 41 —

Mr. Topping. A bill for an act to protect bridges and regulate travel over same.	
Passed the house	435
Read first time by title	494
Read second time by title	628
Referred to committee on roads and highways	629
Reported back favorably	735

HOUSE BILL NO. 42 —

Mr. Curtia. A bill for an act to amend section 2659, general laws, relative to state university.	
Passed the house	409
Read first time by title	486
Read second time by title	618
Referred to committee on education	619

HOUSE BILL NO. 44 —

Mr. Whalley. A bill for an act to amend section 814 of chapter III, title II of Hill's laws of Oregon, relating to garnishment of money in hands of a public officer belonging to a judgment debtor.	
Passed the house	597
Read first time by title	607

HOUSE BILL NO. 46 —

Mr. Maxwell. A bill for an act to amend section 4085 of an act to amend sections 4061, 4070, and 4085 of title I, chapter LXXVI, laws of Oregon, relating to county roads.	
Passed the house	535
Read first time by title	603

HOUSE BILL NO. 48 —

Mr. Ross. A bill for an act to abolish the use of private seals.	
Passed the house	223
Read first time by title	325
Read second time by title	506
Referred to committee on revision of laws	506

HOUSE BILL NO. 53 —

Mr. Beach. A bill for an act to constitute Willamette and Portland boulevards as county roads,	
Passed the house	252
Read first time by title	322
Read second time by title	506
Referred to the senators from Multnomah county	507

Reported back favorably.....	736
Read third time.....	798
Passed.....	798
Signed by the speaker.....	807
Signed by the president.....	807
Signed by the governor.....	828
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Mr. Beach. A bill for an act to regulate the purchase of supplies for the public.	
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Read first time.....	324
Read second time by title.....	507
Referred to committee on judiciary.....	507
HOUSE BILL NO. 57—	
Mr. Beach. A bill for an act to prohibit the adulteration of candy.	
Passed the house.....	449
Read first time by title.....	495
Read second time by title.....	629
Referred to committee on medicine, pharmacy and dentistry.....	629
Reported back favorably.....	717
Read third time.....	781
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Signed by the speaker.....	773
Signed by the president.....	776
Signed by the governor.....	813
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Mr. Stillman. A bill for an act making valid and legal certain marriages.	
Passed the house.....	224
Read first time by title.....	324
Read second time by title.....	507
Referred to committee on judiciary.....	507
Reported back favorably.....	729
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Mr. Stillman. A bill for an act to amend section 40 (39), Hill's annotated laws of Oregon, relating to actions for the recovery of specific personal property.	
Passed the house.....	236
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Read second time by title.....	507
Referred to committee on judiciary.....	508
Reported back favorably.....	729
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Mr. Grace. A bill for an act to punish the poisoning of domestic animals.	
Passed the house.....	239
Read first time by title.....	323
Read second time by title.....	508
Referred to committee on revision of laws.....	508
HOUSE BILL NO. 73—	
Mr. Whalley. A bill for an act requiring street railway companies to provide weather guards on street cars and providing a penalty for the violation thereof.	
Passed the house.....	456
Read first time by title.....	495
Read second time by title.....	629
Referred to committee on railroads.....	629

HOUSE BILL NO. 74—

Mr. Maxwell. A bill for an act to incorporate the town of Nehalem, in Tillamook county.

Passed the house.....	285
Read first time by title.....	309
Read second time by title.....	310
Read third time.....	310
Passed the senate.....	310
Signed by the speaker	392
Signed by the president	392

HOUSE BILL NO. 75—

Mr. Whitney. A bill for an act to tax mortgages.

Passed the house.....	459
Read first time by title.....	500
Read second time by title.....	634
Referred to committee on counties	634

HOUSE BILL NO. 76—

Mr. Whitney. A bill for an act to provide for the election of supervisors.

Passed the house.....	763
Read first time by title.....	800
Read second time by title.....	801
Read third time	801
Failed to pass.....	801

HOUSE BILL NO. 79—

Mr. Young. A bill for an act to repeal section 2762 of chapter XVII of title III of the miscellaneous laws of Oregon, relating to duplicate copies of assessment rolls in office of county assessor.

Passed by the house	596
Read first time by title.....	608
Read second time by title.....	761
Referred to committee on assessment and taxation.....	761

HOUSE BILL NO. 80—

Mr. McAllister. A bill for an act to improve Wagon roads on Wallowa hill, Union county.

Passed the house.....	767
Read first time by title.....	833
Read second time by title.....	833
Read third time.....	833
Failed to pass.....	834

HOUSE BILL NO. 81—

Mr. Davis. A bill for an act to regulate the pursuit of the business and vocation of a barber.

Passed the house.....	864
Read first time by title.....	484
Read second time by title.....	614
Referred to committee on judiciary.....	615
Reported back favorably.....	728
Read third time.....	830
Passed.....	880
Signed by the speaker.....	840

HOUSE BILL NO. 82—

Mr. Maxwell. A bill for an act to appropriate moneys to bridge the South fork of the Nehalem river in Tillamook county.

Passed the house.....	448
Read first time by title.....	495
Read second time by title.....	619
Referred to committee on counties.....	619

HOUSE BILL NO. 84—

Mr. Brattain. A bill for an act to amend the charter of Junction City, Lane county, Oregon.

Passed the house.....	439
Read first time by title.....	486
Read second time by title.....	619
Read third time.....	619
Passed.....	620
Signed by the speaker.....	739
Signed by the president.....	739
Signed by the governor.....	813

HOUSE BILL NO. 89—

Mr. Knight. A bill for an act to amend sections 2716 and 2718, title XI of chapter XVI of the miscellaneous laws of Oregon, relating to loaning and management of the school fund.

Passed the house.....	543
Read first time by title.....	601

HOUSE BILL NO. 90—

Mr. Palmer. A bill for an act prescribing the manner of appropriating state money.

Passed the house.....	394
Read first time by title.....	487
Read second time by title.....	620
Referred to committee on ways and means.....	620
Reported back favorably.....	719

HOUSE BILL NO. 92—

Mr. Massingill. A bill for an act for the relief of Lake county.

Passed the house.....	365
Read first time.....	484
Read second time by title.....	615
Referred to committee on judiciary.....	615
Reported back favorably.....	646
Read third time.....	801
Passed.....	802
Signed by the speaker.....	824
Signed by the president.....	824
Signed by the governor.....	860

HOUSE BILL NO. 93—

Mr. McCulloch. A bill for an act to amend section 2742 of miscellaneous laws of Oregon, relating to taxation of merchandise and machinery.

Passed the house.....	424
Read first time by title.....	489
Read second time by title.....	623
Referred to committee on assessment and taxation.....	623

HOUSE BILL NO. 94.

Mr. Hawson. A bill for an act to provide a lien on farm products for the protection of farm laborers.

Passed the house.....	421
Read first time by title.....	490
Read second time by title.....	623
Referred to committee on judiciary.....	623

HOUSE BILL NO. 95—

Mr. Maxwell. A bill for an act to amend an act to fix the salaries of the county treasurers of this state.

Passed the house.....	453
Read first time by title.....	496
Read second time by title.....	629
Referred to committee on counties.....	629
Reported back favorably.....	735

HOUSE BILL NO. 96—

Mr. Palmer. A bill for an act to amend sections 6 and 28 of the game laws of the session of 1895.

Passed the house.....	548
Read first time by title.....	606

HOUSE BILL NO. 97—

Mr. Whitney. A bill for an act to amend the charter of the city of Albany.

Passed the house.....	118
Read first time by title.....	182
Read second time by title.....	183
Referred to committee on municipal corporations.....	183
Reported back favorably.....	263
Read third time.....	299
Passed.....	299
Signed by the speaker.....	326
Signed by the president.....	327

HOUSE BILL NO. 99 —

Mr. Whitney. A bill for an act to prevent persons from running push cars, velocipedes, hand cars, or other wheeled contrivances, upon any railroad track, and to provide for the punishment of the same.

Passed the house.....	454
Read first time by title.....	496
Read second time by title.....	630
Referred to the committee on railroads.....	630
Reported back favorably.....	646

HOUSE BILL NO. 106—

Mr. Williamson. A bill for an act to amend section 3653 of chapter LIV, title IV of the laws of Oregon, relating to license for peddling merchandise.

Passed the house.....	461
Read first time by title.....	500
Read second time by title.....	634
Referred to the committee on revision of laws.....	634

HOUSE BILL NO. 108 —

Mr. Williamson. A bill for an act empowering county courts to levy a tax on sheep; also to create a scalp bounty fund, etc.

Passed the house.....	421
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Read first time by title.....	490
Read second time by title.....	623
Referred to the committee on judiciary.....	624
Reported back favorably.....	729
Read third time.....	789
Chief clerk instructed to insert word.....	789
Passed the senate.....	790
Signed by the speaker.....	820
Signed by the governor.....	860

HOUSE BILL NO. 109—

Mr. Maxwell. A bill for an act to prevent the production and sale of unwholesome foods and medicines and to regulate sales of adulterated foods, drinks and medicines.

Passed the house.....	475
Read first time by title.....	501
Read second time by title.....	634
Referred to committee on agriculture.....	634
Reported back favorably.....	650
Read third time.....	651
Reconsidered.....	654
Chief clerk instructed to insert amendment.....	654
Passed the senate.....	654
Signed by the speaker.....	739
Signed by the president.....	739
Signed by the governor.....	813

HOUSE BILL NO. 110—

Mr. Curtis. A bill for an act appropriating \$25,000 per annum for propagation of salmon.

Passed the house.....	235
Read first time.....	323
Read second time by title.....	508
Referred to committee on fishing industries.....	508
Reported back favorably.....	659
Reported back amended.....	660
Amendments adopted.....	660
Read third time.....	660
Passed the senate.....	660
Signed by the speaker.....	739
Signed by the president.....	739
Signed by the governor.....	840

HOUSE BILL NO. 112—

Mr. Moody. A bill for an act to regulate the practice of horseshoeing.

Passed the house.....	641
Read first time by title.....	711
Read second time by title.....	712
Read third time.....	712
Passed the senate.....	712
Signed by the speaker.....	792
Signed by the president.....	792

HOUSE BILL NO. 114—

Mr. Stewart. A bill for an act for the protection of deer.

Passed the house.....	534
Read first time.....	608

HOUSE BILL NO. 116—

Mr. Whalley. A bill for an act to amend section 1771, Hill's code.

Passed the house.....	253
Read first time.....	322
Read second time by title.....	508
Referred to committee on judiciary.....	509

HOUSE BILL NO. 117—

Mr. Whalley. A bill for an act to amend section 234, Hill's code, defining the term "a new trial."

Passed the house.....	448
Read first time by title.....	496
Read second time by title.....	630
Referred to committee on judiciary.....	630
Reported back with recommendation that it do not pass.....	726

HOUSE BILL NO. 118—

Mr. Young. A bill for an act to provide for the protection of razor clams.

Passed the house.....	294
Read first time.....	327
Read second time by title.....	509
Referred to committee on fishing industries.....	509
Reported back favorably.....	780

HOUSE BILL NO. 119—

Mr. Myers. A bill for an act to apply to the military fund money received from the United States government for transportation, etc.

Passed the house.....	396
Read first time by title.....	490
Read second time by title.....	620
Referred to committee on military affairs.....	620
Reported back favorably.....	663
Read third time.....	810
Passed.....	810
Signed by the speaker.....	824
Signed by the president.....	824

HOUSE BILL NO. 122—

Mr. Curtis. A bill for an act to regulate the driving of fishtrap spiles in the waters of the state.

Passed the house.....	364
Read first time by title.....	485
Read second time by title.....	615
Referred to committee on fishing industries.....	615

HOUSE BILL NO. 125—

Mr. Marsh. A bill for an act to provide for letting the contract for boarding prisoners in Washington county, Oregon.

Passed the house.....	207
Read first time.....	321
Read second time by title.....	509
Referred to senators from Washington county.....	509
Reported back amended.....	647
Amendments adopted.....	648
Read third time.....	746
Passed.....	746

Signed by the speaker.....	792
Signed by the president.....	792
Signed by the governor.....	828
HOUSE BILL NO. 127 —	
Mr. Massingill. A bill for an act to provide for the physical examination of plaintiffs in actions for damages for personal injuries.	
Passed the house.....	428
Read first time by title.....	490
Read second time by title.....	624
Referred to committee on railroads.....	624
HOUSE BILL NO. 128 —	
Mr. Young. A bill for an act to protect crawfish in the waters of the state.	
Passed the house.....	317
Read first time.....	327
Read second time by title.....	509
Referred to committee on fishing industries.....	509
Reported back favorably.....	637
HOUSE BILL NO. 129 —	
Mr. Roberts. A bill for an act to prevent and punish the driving and herding of livestock along and near the public highways (not toll roads) and causing the same to be obstructed.	
Passed the house.....	455
Read first time by title.....	497
Read second time by title.....	630
Referred to committee on roads and highways.....	630
Reported back favorably.....	736
HOUSE BILL NO. 130 —	
Mr. Flagg. A bill for an act to amend subdivision 6, section 2208, Hill's laws of Oregon, concerning authority of secretary of state to collect moneys due the state.	
Passed the house.....	207
Read first time.....	321
Read second time by title.....	510
Referred to committee on judiciary.....	510
Reported back amended.....	725
Amendments adopted.....	726
HOUSE BILL NO. 131 —	
Mr. Sherwin. A bill for an act to promote the beet sugar industry in the state.	
Passed the house.....	366
Read first time by title.....	483
Read second time by title.....	615
Referred to committee on counties.....	615
Recommitted to committee on judiciary.....	657
HOUSE BILL NO. 132 —	
Mr. Kruse. A bill for an act to authorize and provide for the construction of a fishway over the falls of the Willamette river at Oregon City, and to appropriate money therefor.	
Passed the house.....	523
Read first time by title.....	606

HOUSE BILL NO. 135—

Mr. Ross. A bill for an act to amend sections 3011, 3012, 3014, miscellaneous laws of Oregon, concerning the execution and acknowledgment of deeds.
Passed the house..... 767

HOUSE HILL NO. 139—

Mr. Myers. A bill for an act to restore to the military fund certain money.
Passed the house..... 897
Read first time by title..... 487
Read second time..... 621
Referred to committee on military affairs..... 621
Reported back favorably..... 664
Read third time..... 811
Passed..... 811
Signed by the speaker..... 824
Signed by the president..... 824
Signed by the governor..... 842

HOUSE BILL NO. 140—

Mr. Myers. A bill for an act for the more efficient organization and discipline of the militia of Oregon.
Passed the house..... 897
Read first time by title..... 488
Read second time by title..... 621
Referred to committee on military affairs..... 621
Reported back favorably..... 664
Read third time..... 811
Passed..... 811
Signed by the speaker..... 824
Signed by the president..... 824
Signed by the governor..... 842

HOUSE BILL NO. 143—

Mr. Marsh. A bill for an act to provide for the preservation and protection of forests, game, wild fowl, etc.
Passed the house..... 546
Read first time by title..... 605
Read second time by title..... 666
Referred to the committee on fishing industries..... 666
Reported back favorably..... 785
Read third time..... 793
Passed..... 794
Signed by the speaker..... 824
Signed by the president..... 824
Signed by the governor..... 860

HOUSE BILL NO. 148—

Mr. Hill. A bill for an act to prevent the maintenance of armed bodies of men other than by the state, etc.
Passed the house..... 379
Read first time by title..... 485
Read second time by title..... 616
Referred to the committee on commerce and navigation..... 616
Reported back favorably..... 649
Read third time..... 814
Passed..... 814

Signed by the speaker.....	833
Signed by the president.....	833
Signed by the governor.....	842
HOUSE BILL NO. 149—	
Mr. Hill. A bill for an act to amend the code in relation to administrators.	
Passed the house.....	423
Read first time by title.....	491
Read second time by title.....	624
Referred to the committee on commerce and navigation.....	624
Reported back favorably.....	656
HOUSE BILL NO. 151—	
Mr. McCulloch. A bill for an act to amend section 5 of the homestead act.	
Passed the house.....	422
Read first time by title.....	491
Read second time by title.....	624
Referred to committee on revision of laws.....	625
HOUSE BILL NO. 152—	
Mr. Myers. A bill for an act pertaining to the time for catching salmon in the Alsea, river, bays, and tributaries.	
Passed the house.....	423
Read second time by title.....	625
Referred to committee on fishing industries.....	625
Reported back favorably.....	659
HOUSE BILL NO. 153—	
Mr. Donnelly. A bill for an act to create the county of Wheeler, and to fix the salaries of the officers thereof.	
Passed the house.....	328
Read first time by title.....	434
Read second time by title.....	434
Referred to committee on counties.....	434
Reported back amended and amendments adopted.....	733
Read third time.....	769
Passed.....	770
Signed by the speaker.....	792
Signed by the president.....	792
Signed by the governor.....	823
HOUSE BILL NO. 154—	
Mr. Maxwell. A bill for an act to establish a fiscal agency in New York, to act without compensation.	
Passed the house.....	465
Read first time by title.....	501
Read second time by title.....	635
Referred to committee on commerce and navigation.....	635
Reported back favorably.....	737
Read third time.....	818
Failed to pass.....	819
HOUSE BILL NO. 155—	
Mr. Moody. A bill for an act to amend section 586, Hill's code, relating to appeals.	
Passed the house.....	449
Read first time by title.....	497
Read second time by title.....	630

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Referred to committee on judiciary.....	681
Reported back favorably.....	726
HOUSE BILL NO. 156—	
Mr. Moody. A bill for an act to amend section 807 of Hill's code, relating to testimony of witnesses outside the state by affidavit or deposition.	
Passed the house.....	422
Read first time by title.....	492
Read second time by title.....	625
Referred to committee on judiciary.....	625
Reported back favorably.....	723
HOUSE BILL NO. 157—	
Mr. Moody. A bill for an act to amend section 8239 of title II, chapter XXXII, Hill's code, concerning right of way for roads, canals, etc.	
Passed the house.....	455
Read first time by title.....	497
Read second time by title.....	681
Referred to committee on judiciary.....	681
Reported back favorably.....	723
HOUSE BILL NO. 158—	
Mr. Moody. A bill for an act to amend sections 2349 and 2350 of the code.	
Passed the house.....	422
Read first time by title.....	492
Read second time by title.....	625
Referred to committee on judiciary.....	625
Reported back favorably.....	724
HOUSE BILL NO. 159—	
Mr. Maxwell. A bill for an act to establish and incorporate the port of Tillamook, and provide for the improvement of Hoquarton slough in said port.	
Passed the house.....	284
Read first time by title.....	304
Read second time by title.....	304
Read third time.....	306
Passed.....	306
Signed by the speaker.....	392
Signed by the president.....	392
HOUSE BILL NO. 162—	
Mr. Topping. A bill for an act to amend section 3542, Hill's code, relating to health officers at Coos bay and Gardiner.	
Passed the house.....	253
Read first time.....	322
Read second time by title.....	322
Referred to committee on judiciary.....	322
Reported back amended.....	349
Amendment adopted.....	350
HOUSE BILL NO. 163—	
Mr. McCourt. A bill for an act to regulate and fix the salary of the sheriff of Marion county and his deputies.	
Passed the house.....	187
Read first time.....	192
Read second time by title.....	192
Referred to senators from Marion county.....	192

Committee directed to return bill	468
Read third time.....	468
Passed	468
Signed by the speaker	534
Signed by the president	534
HOUSE BILL NO. 166 —	
Mr. Hill. A bill for an act to regulate and license fire insurance companies in this state.	
Passed the house.....	544
Read first time by title.....	605
Read second time by title	760
Referred to committee on banking and insurance.....	760
Reported back amended.....	797
Amendments adopted	799
Read third time.....	812
Passed	812
Signed by the speaker	845
Signed by the president	845
HOUSE BILL NO. 168 —	
Mr. Roberts. A bill for an act to grant A. A. Haug a franchise to build and maintain a toll road and a toll bridge across the John Day river connecting Sherman and Gilliam counties.	
Passed the house.....	442
Read first time by title.....	492
Read second time by title.....	626
Referred to committee on counties.....	626
Reported back favorably.....	734
HOUSE BILL NO. 169—	
Mr. McQueen. A bill for an act to incorporate the city of Cottage Grove.	
Passed the house.....	122
Read first time by title.....	133
Read second time by title.....	133
Read third time.....	133
Passed	134
Signed by the speaker.....	201
Signed by the president.....	201
HOUSE BILL NO. 170—	
Mr. Whitney. A bill for an act to amend the charter of the town of Tangent, Linn county, Oregon.	
Passed the house.....	285
Read first time by title.....	325
Read second time by title.....	408
Read third time.....	408
Passed	409
Signed by the speaker.....	476
Signed by the president.....	476
Signed by the governor.....	654
HOUSE BILL NO. 176—	
Mr. Moody. A bill for an act to amend section 72 of the code, relating to answer of defendant to complaint in civil action.	
Passed the house.....	596
Read first time by title.....	608

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HOUSE BILL NO. 177—

Mr. Flagg. A bill for an act to amend section 4 of chapter LIV of title I of the laws of Oregon.

Passed the house.....	458
Read first time by title.....	498
Read second time by title.....	631
Referred to the committee on medicine, pharmacy and dentistry.....	632

HOUSE BILL NO. 178—

Mr. Hobkirk. A bill for an act to amend sections 1151 and 1152, Hill's code, relating to the return of sale of executors and administrators.

Passed the house.....	547
Read first time by title.....	605

HOUSE BILL NO. 179—

Mr. Lewis. A bill for an act to protect Mongolian or Denny pheasants.

Passed the house.....	722
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HOUSE BILL NO. 180—

Mr. Whitney. A bill for an act to prevent animals running at large.

Passed the house.....	595
Read first time by title	609

HOUSE BILL NO. 181—

Mr. Wilson. A bill for an act to incorporate the town of Drain, Douglas county.

Passed the house.....	125
Read first time by title.....	135
Read second time by title.....	137
Referred to the committee on municipal corporations.....	137
Reported back favorably.....	301
Read third time.....	312
Passed	312
Signed by the speaker.....	332
Signed by the president.....	333

HOUSE BILL NO. 182—

Mr. Maxwell. A bill for an act to regulate and fix the salaries of county officers of Tillamook county.

Passed the house.....	350
Read first time.....	485
Read second time by title.....	616
Referred to senators from Yamhill county.....	616
Reported back favorably.....	648
Read third time.....	649
Passed	649
Signed by the speaker.....	739
Signed by the president.....	739
Signed by the governor.....	840

HOUSE BILL NO. 185—

Mr. Curtis. A bill for an act to incorporate the town of New Astoria.

Passed the house.....	287
Read first time by title.....	306
Read second time by title.....	306
Read third time.....	306
Passed	307
Signed by the speaker.....	392
Signed by the president.....	392

HOUSE BILL NO. 187 —

Mr. Roberts. A bill for an act to amend sections 3350, 3353, and 3354 of the code, concerning appointment and duties of stock inspectors.

Passed the house..... 766

HOUSE BILL NO. 188 —

Mr. Flagg. A bill for an act to amend section 3151, Hill's laws of Oregon, relating to appointment of state board of agriculture.

Passed the house..... 466

Read first time by title..... 501

Read second time by title..... 635

Referred to committee on revision of laws..... 635

Reported back favorably..... 657

Read third time..... 793

Chief clerk instructed to insert..... 793

Passed..... 793

Signed by the speaker..... 807

Signed by the president..... 807

HOUSE BILL NO. 190. —

Mr. Moody. A bill for an act to amend an act authorizing appointment of official reporters.

Passed the house..... 596

Read first time by title..... 609

HOUSE BILL NO. 194. —

Mr. Thompson. A bill for an act to amend section 1, title I, general laws of Oregon, relating to license to sell spirituous liquors.

Passed the house..... 453

Read first time by title..... 498

HOUSE BILL NO. 195 —

Mr. Blackaby. A bill for an act to incorporate the city of Ontario.

Passed the house..... 415

Read first time by title..... 482

Read second time by title..... 482

Read third time..... 488

Passed..... 483

Signed by the speaker..... 543

Signed by the president..... 543

Signed by the governor..... 651

HOUSE BILL NO. 200—

Mr. Young. A bill for an act to protect snipe in the state.

Passed the house..... 476

Read first time by title..... 501

Read second time by title..... 635

Referred to committee on fishing industries..... 635

Reported back favorably..... 659

HOUSE BILL NO. 202—

Mr. Grace. A bill for an act to amend title I, chapter XXIII, laws of Oregon, relating to the descent and distribution of the real property of deceased persons.

Passed the house..... 764

HOUSE BILL NO. 206—

Mr. McQueen. A bill for an act to amend section 1 for securing liens for laborers on mining claims.

Passed the house..... 584

Read first time by title.....	608
Read second time by title.....	781
Referred to committee on mining.....	781
Reported back favorably.....	737
Read third time.....	818
Passed	818
Signed by the speaker.....	845
Signed by the president.....	845
HOUSE BILL NO. 207—	
Mr. Stewart. A bill for an act to provide for placing flags upon schoolhouses and public buildings.	
Passed the house.....	588
Read first time by title.....	601
HOUSE BILL NO. 208—	
Mr. Hill. A bill for an act to regulate the sale of spirituous, vinous or malt liquors in the state.	
Passed the house.....	452
Read first time by title.....	498
Read second time by title.....	632
Referred to committee on revision of laws.....	632
Reported back favorably.....	644
Recommitted to the committee on revision of laws.....	812
HOUSE BILL NO. 210—	
Mr. Young. A bill for an act to protect salmon, salmon trout, mountain and brook trout in the Rogue river and its tributaries.	
Passed the house.....	466
Read first time by title.....	502
Read second time by title.....	635
Referred to committee on fishing industries.....	636
HOUSE BILL NO. 211—	
Mr. Maxwell. A bill for an act to incorporate the town of Bay City, Tillamook county, Oregon.	
Passed the house.....	288
Read first time by title.....	311
Read second time by title.....	311
Read third time.....	311
Passed.....	312
Signed by the speaker.....	476
Signed by the president.....	476
Signed by the governor.....	654
HOUSE BILL NO. 212—	
Mr. Moody. A bill for an act to amend section 2991 of title III, chapter XIX of Hill's code, relating to remedy at law of tenants in common.	
Passed the house.....	597
Read first time by title.....	609
HOUSE BILL NO. 214—	
Mr. Knight. A bill for an act to incorporate the town of Canby, Clackamas county, Oregon.	
Passed the house.....	438
Read first time by title.....	488
Read second time by title.....	578
Read third time	578

Passed.....	579
Signed by the speaker.....	661
Signed by the president.....	662
Signed by the governor.....	813
HOUSE BILL NO. 217 —	
Mr. Ross. A bill for an act to direct how supplementary articles of incorporation shall be executed, filed, and recorded.	
Passed the house.....	596
Read first time by title.....	609
HOUSE BILL NO. 220 —	
Mr. Young. A bill for an act to incorporate the city of Warrenton.	
Passed the house.....	287
Read first time by title.....	305
Read second time by title.....	305
Referred to the committee on judiciary.....	306
Reported back favorably.....	348
Read third time.....	348
Passed.....	348
Signed by the speaker.....	543
Signed by the president.....	543
Signed by the governor.....	654
HOUSE BILL NO. 222 —	
Mr. Butt. A bill for an act to regulate the business of mutual fire insurance companies.	
Passed the house.....	465
Read first time by title.....	502
Read second time by title.....	636
Referred to the committee on judiciary.....	636
Reported back favorably.....	726
Read third time.....	789
Passed.....	789
Signed by the speaker.....	807
Signed by the president.....	807
Signed by the governor.....	840
HOUSE BILL NO. 224 —	
Mr. Hill. A bill for an act to repeal section 2788 of title V, chapter XVII, Hill's code, concerning duplicate copies of assessment rolls.	
Passed the house.....	645
HOUSE BILL NO. 227 —	
Mr. Whalley. A bill for an act relating to chattel mortgages and recording them.	
Passed the house.....	777
HOUSE BILL NO. 228 —	
Mr. Whalley. A bill for an act to employ persons on roads and highways.	
Passed the house.....	548
Read first time by title.....	606
HOUSE BILL NO. 232 —	
Mr. Reeder. A bill for an act to regulate the bringing of sheep from other state or territory into this state.	
Passed the house.....	538
Read first time by title.....	602
Read second time by title.....	826

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Read third time.....	827
Passed	827
Signed by the speaker.....	840
Signed by the governor.....	865
HOUSE BILL NO. 234 —	
Mr. Myers. A bill for an act to provide for the taxing of bicycles.	
Passed the house	759
HOUSE BILL NO. 237 —	
Mr. Wonacott. A bill for an act to amend sections 4075, 4076, 4077, 4078 and 4079 of chapter LXXVI, title I, laws of Oregon, relating to appointment and duties of viewers of public roads.	
Passed the house	522
Read first time by title.....	602
Read second time by title.....	828
Read third time	828
Passed the senate	828
Signed by the speaker	840
Signed by the governor.....	865
HOUSE BILL NO. 238 —	
Mr. Morton. A bill for an act to protect the fruit and hop industry in the state.	
Passed the house.....	467
Read first time by title.....	508
Read second time by title	637
Referred to committee on horticulture	637
Reported back favorably	736
Read third time.....	813
Passed	814
Signed by the speaker.....	832
Signed by the president	833
Signed by the governor.....	842
HOUSE BILL NO. 239 —	
Mr. Nichols. A bill for an act to fix the compensation of the clerk of the supreme court.	
Passed the house.....	537
Read first time by title.....	604
Read second time by title	822
Read third time	822
Passed	823
Signed by the speaker	815
Signed by the president	845
Signed by the governor.....	865
HOUSE BILL NO. 241 —	
Mr. Davis. A bill for an act to fix the salaries of the sheriff and clerk of Lincoln county.	
Passed the house.....	453
Read first time by title.....	498
Read second time by title.....	632
Referred to committee on counties.....	632
Reported back favorably	735
Read third time.....	760
Passed	760
Signed by the speaker	792

Signed by the president	792
Signed by the governor.....	826
HOUSE BILL NO. 242—	
Mr. Hill. A bill for an act to provide for registration of births and deaths throughout the state.	
Passed the house	476
Read first time by title.....	502
Read second time by title.....	637
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Mr. Reeder. A bill for an act authorizing, empowering and directing the secretary of state to execute a deed to certain land to J. E. Saling.	
Passed the house.....	582
Read first time by title.....	606
Read second time by title.....	731
Referred to committee on public lands.....	731
Reported back amended.....	745
Amendments adopted.....	745
Read third time.....	747
Passed	747
Signed by the speaker.....	792
Signed by the president.....	792
Signed by the governor.....	828
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Mr. Hobkirk. A bill for an act to limit the time during which taxes and municipal assessments against land shall remain a lien thereon.	
Passed the house.....	766
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Mr. Blackaby. A bill for an act to amend section 5 relative to time of holding court in ninth judicial district.	
Passed the house.....	442
Read first time by title.....	492
Read second time by title.....	626
Referred to committee on judiciary.....	626
Reported back favorably.....	723
Read third time.....	723
Passed	724
Signed by the speaker.....	773
Signed by the president.....	776
Signed by the governor.....	813
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Passed the house.....	317
Read first time by title.....	327
Read second time by title.....	510
Referred to the committee on revision of laws.....	510
Reported back amended.....	713
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Passed	716
Signed by the speaker.....	794
Signed by the president.....	795
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Passed the house.....	599
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Passed the house.....	536
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Mr. Moody. A bill for an act to provide for release of sureties upon bonds.	
Passed the house.....	582
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Mr. Curtis. A bill for an act to fix the salaries of district attorneys.	
Passed the house.....	447
Read first time by title.....	499
Read second time by title.....	632
Referred to committee on judiciary.....	633
Reported back favorably.....	742
Made special order.....	743
Recommitted to the committee on judiciary.....	772
Reported back amended.....	796
Amendments adopted.....	797
Made special order.....	497
Chief clerk instructed to insert amendment.....	807
Passed.....	808
Signed by the speaker.....	845
Signed by the president.....	845
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Passed the house.....	467
Read first time by title.....	503
Read second time by title.....	638
Referred to committee on ways and means.....	638
Reported back favorably.....	719
Read third time.....	719
Recommitted to the committee on ways and means.....	719
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HOUSE BILL NO. 273—

Mr. McCulloch. A bill for an act to incorporate the city of Salem.

Passed the house	639
Read first time by title	708
Read second time by title	708
Read third time	708
Passed	709
Signed by the speaker	779
Signed by the governor	823

HOUSE BILL NO. 275—

Mr. Williamson. A bill for an act to incorporate the city of Prineville, Crook county.

Passed the house	547
Read first time by title	549
Read second time by title	549
Read third time	549
Passed	550
Signed by the speaker	661
Signed by the president	662
Signed by the governor	812

HOUSE BILL NO. 279—

Mr. Curtis. A bill for an act to provide for a separate board of county commissioners for Clatsop county.

Passed the house	416
Read first time	485
Read second time by title	616
Referred to committee on judiciary	616

HOUSE BILL NO. 280—

Mr. Gray. A bill for an act to amend sections 4208, 4209, 4211, 4212, Hill's code.

Passed by the house	598
Read first time by title	610

HOUSE BILL NO. 281—

Mr. Fordney. A bill for an act to incorporate the city of Wallowa.

Passed the house	286
Read first time by title	308
Read second time by title	309
Read third time	309
Passed	309
Signed by the speaker	396
Signed by the president	396

HOUSE BILL NO. 286—

Mr. Sherwin. A bill for an act to amend section 1 of an act to incorporate the town of Gold Hill, in Jackson county.

Passed the house	255
Read first time by title	325
Read second time by title	402
Read third time	402
Passed	402
Signed by the speaker	447
Signed by the president	447

HOUSE BILL NO. 288—

Mr. Stanley. A bill for an act relating to the practice of dentistry in the state of Oregon.

Passed the house.....	598
Read first time by title.....	610
Read second time by title.....	768
Referred to committee on medicine, pharmacy and dentistry.....	768
Reported back favorably.....	776
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Passed	777
Signed by the speaker.....	794
Signed by the president.....	795

HOUSE BILL NO. 291—

Mr. Stillman. A bill for an act to amend section 18 of an act to provide for the appropriation of water from lakes and running streams, and other purposes.

Passed the house.....	587
Read first time by title.....	611
Read second time by title	817
Read third time.....	817
Passed	818
Signed by the speaker	838
Signed by the president.....	838

HOUSE BILL NO. 298—

Mr. Sherwin. A bill for an act to regulate and fix the compensation of the county assessor of Jackson county.

Passed the house.....	384
Read first time by title.....	404
Read second time by title.....	405
Read third time	405
Passed	405
Signed by the speaker.....	447
Signed by the president.....	447

HOUSE BILL NO. 297—

Mr. Curtis. A bill for an act so amend the laws for the protection of salmon.

Passed the house.....	439
Read first time by title.....	488
Read second time by title.....	621
Referred to committee on fishing industries.....	621
Reported back amended.....	780
Amendments adopted.....	784
Read third time.....	784
Passed	784
Signed by the speaker.....	820
Signed by the governor.....	842

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Mr. Carter. A bill for an act to authorize corporations to extend their boundary lines.

Passed the house.....	767
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HOUSE BILL NO. 807—

Mr. Flagg. A bill for an act for state care and management of Wilson avenue, city of Salem.

Passed the house.....	763
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HOUSE BILL NO. 309—

Mr. Williamson. A bill for an act redistricting the state into senatorial and representative districts, and fixing the number of senators and representatives.

Passed the house.....	294
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Read second time by title.....	298
Referred to committee on counties.....	298
Reported back favorably.....	313
Read third time.....	314
Passed.....	314
Signed by the speaker.....	366
Signed by the president.....	367

HOUSE BILL NO. 311—

Mr. Blackaby. A bill for an act to provide for the relocation of the county seat of Malheur county, and provide a special election for that purpose.

Passed the house.....	383
Read first time by title.....	503
Read second time by title.....	616
Referred to committee on municipal corporations.....	617
Reported back favorably.....	745
Read third time.....	800
Failed to pass.....	800

HOUSE BILL NO. 312—

Mr. Freeland. A bill for an act to regulate the sale of illuminating oils, and providing for inspection thereof.

Passed the house.....	599
Read first time by title.....	611

HOUSE BILL NO. 131—

Mr. Topping. A bill for an act to incorporate the town of Marshfield, Coos county, Oregon.

Passed the house.....	287
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Read second time by title.....	307
Read third time.....	308
Passed.....	308
Signed by the speaker.....	447
Signed by the president.....	447

HOUSE BILL NO. 316—

Mr. Wilson. A bill for an act to amend an act relating to normal schools.

Passed the house.....	544
Read first time by title.....	607

HOUSE BILL NO. 319—

Mr. Davis. A bill for an act to amend section 3597, and to repeal section 3619 of the laws of Oregon.

Passed the house.....	764
Read first time by title.....	790
Read second time by title.....	790
Read third time.....	791
Passed.....	791
Signed by the speaker.....	824
Signed by the president.....	824
Signed by the governor.....	842

HOUSE BILL NO. 327—

Mr. Hall. A bill for an act to provide for the relocation of the county seat of Columbia county.	
Passed the house.....	442
Read first time by title.....	498
Read second time by title.....	626
Referred to committee on counties.....	626

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Mr. Stewart. A bill for an act to incorporate the town of Medford.	
Passed the house.....	421
Read first time by title.....	485
Read second time by title.....	617
Read third time.....	617
Passed	618
Signed by the speaker.....	739
Signed by the president	739
Signed by the governor.....	840

HOUSE BILL NO. 329 —

Mr. Moody. A bill for an act to release the state from payment of costs and furnishing bonds and undertakings.	
Passed the house.....	817
Read first time by title.....	827
Read second time by title.....	510
Referred to committee on revision of laws.....	510
Reported back favorably.....	657
Read third time	818
Passed.....	818
Signed by the speaker	838
Signed by the president	838
Signed by the governor.....	842

HOUSE BILL NO. 330—

Mr. Whitney. A bill for an act to fix the salary of Linn county assessor.	
Passed the house.....	777
Read first time by title.....	829
Read second time by title.....	829
Read third time.....	829
Passed	829
Signed by the speaker.....	840
Signed by the governor.....	865

HOUSE BILL NO. 339—

Mr. Stewart. A bill for an act to incorporate the town of Medford, Jackson county, Oregon.	
Passed the house.....	442
Read first time by title.....	498
Read second time by title	626
Read third time.....	627
Passed	627
Signed by the speaker.....	739
Signed by the president.....	739
Signed by the governor.....	840

HOUSE BILL NO. 540 —

Mr. Hawson. A bill for an act to amend the charter of the city of Arlington.

Passed the house.....	384
Read first time by title.....	406
Read second time by title.....	407
Read third time.....	407
Passed	407
Signed by the speaker.....	522
Signed by the president	523
Signed by the governor.....	654

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Mr. Flagg. A bill for an act to prohibit exhibitions of mesmerism, hypnotism and artificial somnambulism.

Passed the house.....	548
Read first time by title.....	607

HOUSE BILL NO. 346—

Mr. Moody. A bill for an act to protect trout and other food fishes.

Passed the house.....	475
Read first time by title.....	504
Read second time by title.....	638
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Reported back favorably.....	780
Read third time.....	816
Passed	817
Signed by the speaker.....	833
Signed by the president.....	833

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Mr. Platts. A bill for an act to provide for the times and places of holding the circuit courts in the second judicial district.

Passed the house.....	534
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Passed the house.....	522
Read first time by title.....	604

HOUSE BILL NO. 352 —

Mr. Fordney. A bill for an act to incorporate the city of Enterprise, Wallowa county, Oregon.

Passed the house.....	662
Read first time by title.....	662
Read second time by title.....	662
Read third time	663
Passed	663
Signed by the speaker.....	773
Signed by the president.....	776
Signed by the governor.....	813

HOUSE BILL NO. 353 —

Mr. Stewart. A bill for an act to amend an act to incorporate the city of Medford, Oregon.

Passed the house.....	415
Read first time by title.....	489

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Passed	622
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Signed by the president.....	739
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Mr. Virtue. A bill for an act to provide for the appropriation of water to be used for mining purposes.	
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Signed by the speaker.....	840
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Passed the house.....	641
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Read second time by title.....	814
Read third time.....	815
Passed	815
Signed by the speaker.....	833
Signed by the president.....	833
Signed by the governor.....	842
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Signed by the president.....	845
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Signed by the president	866
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Passed	653
Signed by the speaker	739
Signed by the president	739
Signed by the governor.....	840
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Signed by the speaker.....	845
Signed by the president.....	845

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Signed by the president.....	144
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Read second time by title.....	110
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Amendments adopted.....	474
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Read third time.....	528
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Signed by the president.....	845
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Read first time.....	62
Read second time.....	111
Referred to committee on penal institutions.....	111
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Passed.....	244
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Enrolled.....	861
Signed by the speaker.....	861
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Read first time by title.....	62
Read second time by title.	111
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Reported enrolled	580
Signed by the speaker.....	586
Signed by the president	586
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Engrossed.....	256
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Signed by the speaker.....	861
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Read second time by title.....	119
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Amendment adopted.....	167
Engrossed.....	177
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Read first time by title.....	64
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Engrossed	342
Read third time.....	395
Passed	395
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Signed by the speaker.....	771
Signed by the president.....	771
Enrolled	789
Signed by the governor.....	813

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Senator Smith. A bill for an act relating to railroad crossings.	
Read first time by title.....	65
Read second time by title.....	120
Referred to committee on railroads	120

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Senator Kelly. A bill for an act concerning land titles and the registration of the same.	
Read first time by title.....	65
State printer ordered to print 480 extra copies.....	96
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Referred to committee on judiciary.....	121
Reported back amended.....	511
Amendment adopted.....	515
Engrossed.....	539
Read third time.....	598
Passed	599

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Read first time.....	65
Read second time.....	121
Referred to committee on judiciary.....	121
Reported back amended.....	269
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Reported back with amendments.....	647
Amendments adopted.....	647
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Read first time.....	67
Read second time by title.....	126
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Senator Haines. A bill for an act to require criminal complaints and informations to be submitted to the district or county attorney before filing.	
Read first time	67
Read second time.....	126
Referred to committee on penal institutions.....	126
Reported back favorably.....	187
Engrossed.....	211
Emergency clause amended.....	249
Read third time.....	249
Passed	250
SENATE BILL NO. 27—	
Senator Fulton. A bill for an act relating to negotiable instruments.	
Read first time by title.....	68
Read second time by title.....	148
Referred to committee on judiciary.....	148
Reported back favorably.....	220
Engrossed.....	337
Read third time.....	386
Made a special order for February 2 at 2:30 p. m.....	386
Passed	424
Passed the house.....	665
Signed by the speaker.....	771
Signed by the president.....	771
Enrolled	789
Signed by the governor.....	813
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Senator Mackay. A bill for an act to create the office of tax collector in counties of the state having sixty thousand inhabitants.	
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Read second time by title.....	148
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Senator Brownell. A bill for an act providing for the election of prosecuting attorneys, etc.	
Read first time by title.....	72
Read second time by title.....	148
Referred to committee on judiciary.....	148
Reported back amended.....	351

Amendment adopted.....	851
Engrossed.....	882
Read third time	517
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Senator Haseltine. A bill for an act to regulate the purchase of public supplies.	
Read first time.....	72
Read second time	149
Referred to committee on revision of laws.....	149
Reported back amended.....	240
Amendment adopted.....	240
Engrossed.....	256
Read third time.....	278
Passed	278
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Signed by the speaker.....	758
Signed by the president.....	760
Signed by the governor.....	826
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Read first time by title.....	73
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Referred to committee on fishing industries.....	149
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Engrossed.....	655
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Senator Selling. A bill for an act to create a trust fund in Multnomah county.	
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Read second time.....	149
Referred to senators from Multnomah county.....	149
Reported back favorably.....	183
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Read third time.....	250
Passed	250
Passed the house.....	665
Enrolled	705
Signed by the speaker.....	789
Signed by the president.....	789
Signed by the governor.....	840

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Senator Josephi. A bill for an act to provide for the production of expert testimony in and of courts of justice.

Read first time by title.....	74
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Referred to committee on judiciary.....	150
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Senator Porter. A bill for an act requiring sheriffs to collect certain fees in civil cases.

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Referred to committee on judiciary.....	150
Reported back amended.....	267
Amendments adopted	267
Engrossed.....	842
Read third time.....	896
Passed	896
Passed the house.....	665
Enrolled	705
Signed by the speaker.....	789
Signed by the president	789
Signed by the governor.....	826

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Read third time	450
Passed	450
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Enrolled	847
Signed by the speaker	843
Signed by the president	844
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Senator Morrow. A bill for an act to change in part the payment of county clerks and recorders, etc.	
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Amendment adopted	460
Engrossed.....	520
Read third time.....	600
Passed	600

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Senator Porter. A bill for an act to amend section 54 (53) of title V, chapter I, laws of Oregon.	
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Senator Adama. A bill for an act to provide for the taxation of dogs.	
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Engrossed.....	247
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Engrossed.....	419
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Failed to pass.....	426

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Senator Morrow. A bill for an act to cure defects in deeds heretofore made to real property.

Read first time	79
Read second time by title	169
Referred to committee on revision of laws	169
Reported back amended	240
Amendment adopted	240
Engrossed	257
Read third time	283
Passed	284

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Senator Kuykendall. A bill for an act to confer upon Eugene divinity school the power to confer degrees.

Read first time by title	79
Read second time by title	169
Referred to committee on education	169
Reported back favorably	187
Engrossed	211
Read third time	250
Passed	250
Passed the house	832
Enrolled	847
Signed by the speaker	845
Signed by the president	845

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Senator Daly of Lake. A bill for an act fixing the salaries of state officers.

Read first time by title	80
Read second time by title	169
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Senator Adams. A bill for an act to repeal an act entitled an act for an additional circuit judge for the third judicial district.

Read first time by title	80
Read second time by title	170
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Senator Porter. A bill for an act to amend section 1017, relating to the making of deeds by sheriffs.

Read first time by title	80
Read second time by title	170
Referred to committee on judiciary	170
Reported back favorably	218
Engrossed	257
Read third time	287
Passed	287
Passed the house	665
Signed by the speaker	758
Signed by the president	760
Signed by the governor	840

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Read first time by title.....	82
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Referred to committee on revision of laws.....	171
Reported back favorably.....	359
Engrossed.....	382
Read third time.....	517
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Enrolled.....	800
Passed the house.....	806
Signed by the president.....	806
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Senator Clem. A bill for an act to provide for the reduction of indebtedness from assessments.	
Read first time by title.....	82
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Senator Kelly. A bill for an act to amend section 537, Hill's annotated laws of Oregon.

Read first time by title.....	82
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Referred to committee on revision of laws.....	172
Reported back favorably.....	241
Engrossed.....	257
Read third time	287
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Amendment adopted.....	360
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Read second time by title.....	172
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Read first time.....	84
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Referred to committee on horticulture.....	173
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Engrossed.....	382
Passed house with amendments.....	710
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Enrolled	789
Signed by the speaker	771
Signed by the president	771
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Read first time.....	86
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Read first time.....	86
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Referred to committee on judiciary.....	173
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Reported back amended.....	413
Amendment adopted	414
Engrossed.....	450
Read third time.....	584
Passed.....	584
Passed the house.....	806
Enrolled	800
Signed by the president	806
Signed by the governor.....	826

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Senator Reed. A bill for an act to fix the salaries of the county officers of Douglas county.

Read first time by title.....	86
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Passed	130
Passed the house.....	521
Enrolled	589
Signed by the speaker	541
Signed by the president	541
Signed by the governor.....	654

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Engrossed.....	450
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Engrossed.....	450
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Passed.....	583
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Amendment concurred in.....	806
Enrolled.....	882
Signed by the speaker.....	885
Signed by the president.....	885
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Senator Brownell. A bill for an act to amend sections 4081 and 4082, to provide for the election of road supervisors.

Read first time by title.....	89
Read second time by title.....	174
Referred to committee on roads and highways.....	175
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Amendment adopted.....	223
Engrossed.....	255
Read third time.....	255
Passed.....	256
Passed the house.....	665
Enrolled.....	705
Signed by the speaker.....	789
Signed by the president.....	789
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Senator Looney. A bill for an act amending section 2345, relating to fees of coroners.

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Signed by the speaker.....	429
Signed by the president.....	430
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Passed	379
Passed the house.....	805
Enrolled	819
Signed by the speaker.....	827
Signed by the president.....	828
Signed by the governor.....	841
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Senator Mackay. A bill for an act to amend section 1804, relating to trade-marks.	
Read first time	100
Read second time.....	204
Referred to committee on judiciary.....	204
Reported back amended.....	267
Amendment adopted.....	268
Engrossed.....	298
Read third time.....	416
Passed	416
Passed the house.....	818
Enrolled	819
Signed by the speaker	827
Signed by the president	828
Signed by the governor.....	841
SENATE BILL NO. 97—	
Senator Mulkey. A bill for an act to change the fees collected by county clerks, etc.	
Read first time by title.....	100
Read second time by title.....	204
Referred to committee on revision of laws.....	205
Reported back with amendments.....	480
Amendments adopted	481
Engrossed.....	539

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Read third time.....	655
Passed	656
Passed the house	809
Enrolled	882
Signed by the speaker.....	885
Signed by the president.....	885
Signed by the governor.....	860

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Senator Adams. A bill for an act prohibiting the leading or driving stock upon any plank walk or path, etc.

Read first time.....	100
Read second time.....	205
Reported back favorably.....	283
Engrossed.....	820
Read third time	878
Recommitted to committee on roads and highways.....	878
Reported back with amendment.....	413
Amendment adopted.....	413
Engrossed.....	450
Read third time.....	584
Passed	584

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Read second time by title.....	205
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Senator Daly of Benton. A bill for an act to incorporate the city of Philomath.

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Enrolled	219
Signed by the speaker.....	216
Signed by the president	216
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Senator Haines. A bill for an act to fix the salaries of the county officers of Washington county.

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Read first time by title.....	101
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Chief clerk instructed to strike out and insert	721
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Passed.....	721

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Senator Mitchell. A bill for an act regarding the publication of county proceedings in county newspapers.

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Read second time.....	206
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Senator Josephi. A bill for an act to provide park commissioners, etc.

Read first time by title.....	103
Read second time by title.....	206
Referred to committee on municipal corporations.....	206
Reported back amended.....	333
Amendment adopted	333
Engrossed.....	357
Read third time.....	474
Passed	474
Passed the house.....	665
Enrolled	706
Signed by the speaker.....	739
Signed by the president.....	739
Signed by the governor.....	826

SENATE BILL NO. 105 —

Senator Reed. A bill for an act authorizing the construction of a floodgate on Hudson slough and other sloughs in Douglas county.

Read first time by title.....	103
Read second time by title.....	103
Referred to committee on fishing industries.....	104
Reported back favorably.....	130
Engrossed.....	245
Read third time.....	249
Passed	249
Passed the house.....	346
Enrolled	361
Signed by the speaker.....	361
Signed by the president.....	361

SENATE BILL NO. 106—

Senator Daly of Benton. A bill for an act to amend sections 13, 15, 16, 17, 18 and 19, incorporating the town of Corvallis.

Read first time by title.....	104
Read second time by title.....	206
Engrossed.....	206
Read third time.....	206
Passed.....	207
Passed the house.....	641
Enrolled.....	655
Signed by the speaker.....	656
Signed by the president.....	656
Signed by the governor.....	823

SENATE BILL NO. 107—

Senator Harmon (by request.) A bill for an act to protect salmon and food fishes of Rogue river.

Read first time.....	104
Read second time.....	206
Referred to committee on fishing industries.....	208
Reported back favorably.....	275
Engrossed.....	342
Read third time.....	424
Passed.....	424
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Amendment concurred in.....	711
Enrolled.....	744
Signed by the speaker.....	758
Signed by the president.....	760
Signed by the governor.....	840

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Senator Kuykendall. A bill for an act to provide for a system of county high-schools, etc.

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Senator Daly of Lake. A bill for an act to provide for the sale of agricultural college lands.

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Referred to committee on public lands.....	208
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Passed.....	425
Passed the house.....	805
Signed by the speaker.....	827
Signed by the president.....	828
Signed by the governor.....	841

SENATE BILL NO. 110—

Senator Fulton (by unanimous consent). By consent the bill was withdrawn.

SENATE BILL NO. 111—

Senator Fulton (by unanimous consent). A bill for an act to amend section 504, title VIII, chapter V.

Read first time.....	110
Read second time.....	208
Referred to committee on judiciary.....	208
Reported back favorably.....	219
Engrossed.....	247
Read third time.....	254
Passed	255
Passed the house.....	841
Enrolled	861
Signed by the speaker.....	861
Signed by the president.....	861

SENATE BILL NO. 112—

Senator Fulton (by unanimous consent). A bill for an act to amend section 149, title XV, chapter I.

Read first time.....	110
Read second time.....	208
Referred to committee on judiciary.....	208
Reported back favorably	219
Engrossed.....	246
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SENATE BILL NO. 113—

Senator Fulton (by unanimous consent). A bill for an act to provide for the examination of plaintiffs in action for damages and to declare an emergency.

Read first time by title.....	110
Read second time by title.....	209
Referred to committee on judiciary.....	209
Reported back favorably.....	268
Engrossed.....	298
Read third time.....	425
Passed	425

SENATE BILL NO. 114—

Senator Dufur (by unanimous consent.) A bill for an act to better provide and regulate proceedings in justices' courts.

Read first time by title.....	114
Read second time by title.....	209
Referred to committee on judiciary.....	209
Reported back amended.....	288
Amendment adopted	291
Engrossed.....	357
Read third time.....	458
Passed	459
Passed the house	802
Signed by the speaker.....	827
Signed by the president	828
Signed by the governor.....	842

SENATE BILL NO. 115—

Senator Dufur (by unanimous consent.) A bill for an act fixing the compensation of county judge and county clerk of Wasco county.	
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Read second time by title.....	209
Referred to committee on judiciary.....	209
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Engrossed.....	410
Read third time.....	518
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SENATE BILL NO. 116—

Senator Morrow (by unanimous consent). A bill for an act to incorporate Canyon City, Grant county, Oregon.	
Read first time by title.....	115
Read second time by title.....	225
Referred to committee on municipal corporations.....	225
Reported back favorably.....	264
Engrossed.....	357
Read third time.....	377
Passed.....	378
Passed the house.....	441
Enrolled.....	466
Signed by the speaker.....	468
Signed by the president.....	468
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SENATE BILL NO. 117—

Senator Daly of Lake (by unanimous consent). A bill for an act accepting the terms of congress, August 18, 1894, granting one million acres of land, and making an appropriation therefor.	
Read first time by title.....	115
Read second time by title.....	225
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SENATE BILL NO. 118—

Senator Mackay (by unanimous consent). A bill for an act relating to warehousemen and warehouse receipts.	
Read first time by title.....	115
Read second time.....	226
Referred to committee on judiciary.....	226
Reported back favorably.....	742
Read third time.....	765
Failed to pass.....	766

SENATE BILL NO. 119—

Senator Patterson (by unanimous consent). A bill for an act to amend sections 2, 8 and 4 of an act authorizing the appointment of official reporters.	
Read first time by title.....	117
Read second time by title.....	226
Referred to committee on revision of laws.....	226
Reported back favorably.....	860
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SENATE BILL NO. 120—

Senator Fulton (by unanimous consent). A bill for an act submitting proposed amendments to the constitution.	
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Read first time by title.....	117
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Senator Kelly (by unanimous consent). A bill for an act to amend section 2896 of Hill's annotated laws of Oregon.	
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Read second time by title.....	227
Referred to committee on assessment and taxation.....	227
Reported back favorably.....	335
Engrossed.....	380
Read third time.....	475
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Reported back amended.....	478
Amendments adopted.....	479
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Senator Fulton (by unanimous consent.) A bill for an act to amend sections 537 and 541, laws of Oregon.	
Read first time by title.....	118
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Referred to committee on judiciary.....	227
Reported back favorably.....	270
Engrossed.....	342
Read third time.....	425
Passed.....	425
Passed the house.....	834
Signed by the speaker.....	839
SENATE BILL NO. 123—	
Senator Fulton (by unanimous consent.) A bill for an act to amend an act authorizing the appointment of official stenographers.	
Read first time by title.....	119
Read second time by title.....	227
Referred to committee on judiciary.....	227
Reported back favorably.....	270
Engrossed.....	298
Read third time.....	444
Passed.....	444
Passed the house.....	820
Enrolled.....	847
Signed by the speaker.....	845
Signed by the president.....	845
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Senator Dufur (by unanimous consent). A bill for an act entitled an act to amend section 2991, title III of chapter XIV, laws of Oregon.	
Read first time by title.....	122
Read second time by title.....	228
Referred to committee on judiciary.....	228
Reported back favorably.....	291
Engrossed.....	342

Read third time.....	444
Passed	444
SENATE BILL NO. 125—	
Senator Fulton (by unanimous consent). A bill for an act to make the seashore of Clatsop county, Pacific ocean, a public highway.	
Read first time by title.....	127
Read second time by title.....	127
Considered engrossed.....	127
Read third time.....	127
Passed	128
Passed the house.....	179
Enrolled	212
Signed by the speaker.....	210
Signed by the president.....	216
Signed by the governor.....	284
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Senator Daly of Benton (by unanimous consent). A bill for an act providing for the selection and sale of state lands.	
Read first time by title.....	128
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Enrolled	847
Signed by the speaker.....	845
Signed by the president.....	845
Signed by the governor.....	865
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Read second time by title.....	230
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Enrolled	302
Signed by the speaker.....	318
Signed by the president.....	318
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Read second time	283
Referred to committee on claims	283
Reported back without recommendation	437
Engrossed	520
Read third time	546
Passed	546
Passed the house	758
Enrolled	789
Signed by the speaker	790
Signed by the president	790
Signed by the governor	865

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Senator Wade. A bill for an act to regulate the business done by sleeping and tourist car companies.	
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Read second time by title	233
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Senator Howe. A bill for an act to amend sections 2 and 8, and repeal section 9, regulating loan associations.	
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Engrossed	539
Indefinitely postponed	658

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Senator Howe. A bill for an act to regulate the government control of building associations.	
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Read third time	811
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Signed by the speaker.....	758
Signed by the president.....	760
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Senator Dufur. A bill for an act to amend sections 149 and 151 of title XV, chapter I, code of civil procedure.

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Engrossed.....	410
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Signed by the speaker.....	861
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Senator Smith (by unanimous consent). A bill for an act to release sureties, sureties upon bonds, undertakings, etc.

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Read second time by title.....	355
Referred to committee on revision of laws.....	355
Reported back favorably.....	367
Engrossed.....	419
Made special order.....	518
Read third time.....	529
Passed.....	529
Passed the house.....	809
Enrolled.....	819
Signed by the speaker.....	827
Signed by the president.....	828
Signed by the governor.....	841

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Senator Smith (by unanimous consent). A bill for an act to provide on what conditions surety companies may transact business and facilitate giving sureties and bonds.

Read first time by title.....	180
Read second time by title.....	355
Referred to committee on revision of laws.....	355
Reported back with amendments.....	367
Amendments adopted.....	368
Engrossed.....	419
Made special order.....	518
Read third time.....	530
Title amended.....	530
Passed.....	530
Passed the house.....	792

Enrolled	800
Signed by the speaker.....	806
Signed by the president	806
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Read first time by title.....	180
Read second time by title.....	356
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Engrossed.....	520
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Read third time.....	377
Passed	377
Engrossed.....	380
Passed the house.....	412
Enrolled	435
Signed by the speaker.....	444
Signed by the president.....	444
Signed by the governor.....	458
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Engrossed.....	298
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Senator Harmon (by request, by unanimous consent). A bill for an act to better protect salmon in the waters of Curry county.

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Amendment adopted	394
Engrossed.....	419
Read third time.....	457
Passed.....	457
Passed the house.....	665
Enrolled	705
Signed by the speaker	789
Signed by the president.....	789
Signed by the governor.....	840

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Senator Selling (on behalf of Senator Proebstel). A bill for an act to make it unlawful to establish factories for the manufacture of cigarettes.

Read first time.....	202
Read second time.....	357
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Reported back favorably.....	427
Engrossed.....	465
Indefinitely postponed.....	595

SENATE BILL NO. 173—

Senator Patterson. A bill for an act to regulate the purchase, sale and transfer of goods, etc.

Read first time by title.....	202
Read second time by title.....	357
Referred to committee on judiciary.....	357
Reported back amended.....	578
Amendment adopted.....	578
Engrossed.....	584
Read third time.....	761
Passed	761
Passed the house.....	844
Enrolled	861
Signed by the speaker	861
Signed by the president	861

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Senator Fulton. A bill for an act to provide for clerical aid for justices of the supreme court.

Read first time.....	215
Read second time.....	215
Considered engrossed.....	215
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Passed.....	215
Passed the house.....	401
Enrolled	426
Signed by the speaker.....	429
Signed by the president.....	480
Signed by the governor.....	458

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Senator Bates (by unanimous consent). A bill for an act to provide for the county court of Multnomah county to lease the upper deck of the O. R. & N. bridge.

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Signed by the speaker.....	758
Signed by the president.....	760
Signed by the governor.....	826

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Senator Mackay (by unanimous consent). A bill for an act to cure defects in published notices required by law.

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Read second time.....	357
Referred to committee on judiciary.....	357
Reported back favorably.....	461
Engrossed.....	520
Read third time.....	762
Passed	762
Passed the house.....	819
Enrolled	847
Signed by the speaker.....	843
Signed by the president.....	847

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Senator Kelly (by unanimous consent). A bill for an act to amend the charter of the city of Brownsville.

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Referred to committee on municipal corporations.....	232
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Amendments adopted.....	376
Engrossed.....	419
Read third time.....	458
Passed.....	458
Passed the house.....	662
Enrolled	789
Signed by the speaker.....	771
Signed by the president.....	771
Signed by the governor.....	813

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Senator Fulton (by unanimous consent). A bill for an act providing for the sale of supreme court reports and the printing of session laws.

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Referred to committee on printing.....	358
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Signed by the president.....	480
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Senator Clem (on behalf of Senator Kelly). A bill for an act to incorporate the city of Lebanon.	
Read first time by title.....	261
Read second time by title.....	377
Referred to committee on municipal corporations.....	377
Reported back favorably.....	440
Read third time.....	440

Passed	441
Passed the house	661
Enrolled	789
Signed by the speaker	771
Signed by the president	771
Signed by the governor	813
SENATE BILL NO. 184 (substitute for senate bill No. 40)—	
Senator Fulton. A bill for an act to fix the salaries of the sheriffs and clerks in the counties of Clackamas, Morrow, Wasco and Yamhill, and the recorders of Clackamas and Yamhill.	
Read first time by title	265
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Signed by the speaker	666
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Engrossed	380
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Passed	381
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Signed by the president	835
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Read first time by title..... 276

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Engrossed..... 277

Read third time..... 277

Passed..... 277

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Enrolled..... 436

Signed by the speaker..... 444

Signed by the president..... 444

Signed by the governor..... 458

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Senator Michell. A bill for an act to incorporate Dalles City.

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Reported back favorably..... 431

Read third time..... 436

Passed..... 436

Passed the house..... 662

Enrolled..... 789

Signed by the speaker..... 790

Signed by the president..... 790

Signed by the governor..... 823

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Senator Kuykendall. A bill for an act to incorporate the city of Eugene.

Read first time by title..... 303

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Referred to committee on municipal corporations..... 304

Reported back favorably..... 392

Engrossed..... 450

Read third time..... 546

Passed..... 546

Passed the house..... 654

Enrolled..... 664

Signed by the speaker..... 666

Signed by the president..... 666

Signed by the governor..... 740

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Senator Kuykendall. A bill for an act to provide for uniform and general system of public schools in Oregon.

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Passed the house.....	844
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Signed by the speaker..... 468

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Signed by the speaker..... 151

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Mr. Platta. Petitioning congress to have United States Senators elected by a direct vote of the people.

Adopted by the house..... 164

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Signed by the president..... 201

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Adopted by the house..... 165

Concurred in by the senate..... 166

Signed by the speaker..... 207

Signed by the president..... 208

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Mr. McCulloch. Memorializing the national house of representatives to not seat Brigham H. Roberts, congressman-elect from Utah.

Adopted by the house..... 285

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Signed by the president..... 367

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Mr. Moody. That a joint committee be appointed to examine the books and accounts of the state treasurer.

Adopted by the house.....	9
Concurred in by the senate.....	9

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Signed by the president.....	118
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Adopted by the house.....	10
Referred to committee on fishing industries	10
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Signed by the president	153
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Concurred in by the senate.....	10
Signed by the speaker.....	116
Signed by the president.....	118
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Mr. Hall. Appointing joint committee to examine the books and accounts of the board of commissioners for the sale of school and university lands.	
Adopted by the house.....	105
Concurred in by the senate.....	106
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Signed by the speaker.....	152
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Mr. Bayer. Appointing joint committee to examine the books of the secretary of state.	
Adopted by the house.....	92
Concurred in by the senate.....	92
Signed by the speaker.....	116
Signed by the president.....	118
House committee.....	123
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Mr. Curtis. That 1,000 copies of Governor Lord's and Governor Geer's messages be printed.	
Adopted by the house.....	91
Concurred in by the senate.....	91
Signed by the speaker.....	117
Signed by the president.....	118

HOUSE CONCURRENT RESOLUTION NO. 8 —

Mr. Butt. Asking congress to endeavor to have the locks at Oregon City placed under the control of the United States government.

Adopted by the house	161
Referred to committee on commerce and navigation	161

HOUSE CONCURRENT RESOLUTION NO. 9 —

Mr. Moody. Allowing the committee appointed under senate joint resolution No. 4, until February 1, to file their report.

Adopted by the house	261
Concurred in by the senate	262
Signed by the speaker	294
Signed by the president	294

HOUSE CONCURRENT RESOLUTION NO. 10 —

Mr. Curtia. That the time for visiting the college at Corvallis be changed to February 1.

Adopted by the house	296
Concurred in by the senate	296
Signed by the speaker	315
Signed by the president	318

HOUSE CONCURRENT RESOLUTION NO. 11 —

Mr. Butt. That a joint committee be appointed to investigate the manner of conducting the state university, and report within five days without expense to the state.

Adopted by the house	410
Concurred in by the senate	410
House committee	441
Senate committee	426
Signed by the speaker	522
Signed by the president	523
Report of committee	771
Report received and placed on file	772

HOUSE CONCURRENT RESOLUTION NO. 12 —

Committee on health and public morals. To instruct congress to use their efforts toward enacting into law the "Pure Food and Drug Bill," now before that body.

Passed the house	429
Concurred in by the senate	429
Reconsidered	429
Referred to committee on medicine, pharmacy and dentistry	429
Reported back amended	468
Amendments adopted	469
Concurred in as amended	469
Signed by the speaker	543
Signed by the president	543

HOUSE CONCURRENT RESOLUTION NO. 13 —

Mr. Hall. That the committee appointed under house concurrent resolution No. 5, be allowed one additional clerk.

Adopted by the house	521
Senate refused to concur	521

HOUSE CONCURRENT RESOLUTION NO. 14—

Mr. Curtis. That a joint convention be held in the hall of representatives February 14, at 8 o'clock p. m. for the purpose of electing a state librarian, a boatman at Astoria, and a state dairy and food commissioner, as required by law.

Adopted by the house.....	544
Concurred in by the senate.....	544
Signed by the speaker.....	661
Signed by the president.....	662

HOUSE CONCURRENT RESOLUTION NO. 15—

Mr. Stanley. Instructing congress to use every effort to modify the alien act of British Columbia.

Adopted by the house.....	581
Referred to committee on judiciary.....	582
Reported back favorably.....	835
Concurred in by the senate.....	835
Signed by the speaker.....	840

HOUSE CONCURRENT RESOLUTION NO. 20—

Mr. Carter That Jackson county be relieved from payment of taxes on certain railroad lands in said county.

Adopted by the house.....	774
Referred to committee on assessment and taxation.....	775
Reported back without recommendation.....	861
Concurred in by the senate.....	862
Signed by the speaker.....	866
Signed by the president.....	866

HOUSE CONCURRENT RESOLUTION NO. 21—

Mr. Bayer Allowing the clerks examining the books of the secretary of state ten days' additional time.

Adopted by the house.....	803
Concurred in by the senate.....	803

HOUSE CONCURRENT RESOLUTION NO. 23—

Mr. Flagg. That the action by which senate concurrent resolution No. 10 was adopted, be rescinded.

Adopted by the house.....	852
Laid on the table.....	853
Taken from the table.....	858
Concurred in by the senate.....	858
Signed by the speaker.....	859
Signed by the president.....	859

HOUSE CONCURRENT RESOLUTION NO. 24—

Mr. Moody. That the clerks on the joint committee to examine the books of the secretary of state be allowed \$7 per day.

Adopted by the house.....	855
Senate refused to concur.....	855

HOUSE CONCURRENT RESOLUTION NO. 25—

Mr. Moody. That the matter of fixing the compensation of the clerks on joint committees be referred to the joint conference committee appointed on the appropriation bills.

Adopted by the house.....	858
Concurred in by the senate.....	859
Signed by the speaker.....	859
Signed by the president.....	859

HOUSE CONCURRENT RESOLUTION NO. 26—

Conference committee. Fixing compensation of joint committee clerks.	
Adopted by the house	862
Concurred in by the senate.....	862
Signed by the speaker.....	866
Signed by the president.....	866

HOUSE CONCURRENT RESOLUTION NO. 28—

Mr. Hill. That this assembly adjourn February 18, at 7 o'clock p. m.	
Adopted by the house	866
Concurred in by the senate.....	866

RESOLUTIONS—HOUSE JOINT.

HOUSE JOINT RESOLUTION NO. 1—

Mr. Kruse. To amend section 1 of article IV of the constitution of the state of Oregon.	
Adopted by the house.....	815
Referred to committee on revision of laws.....	816
Reported back favorably	888
Concurred in by the senate.....	888
Signed by the speaker.....	447
Signed by the president.....	447

HOUSE JOINT RESOLUTION NO. 3—

Mr. Lewis. To amend section 19, article V, of the constitution—that the governor may veto part of the appropriation bill and the balance become a law.	
Adopted by the house.....	107
Referred to committee on judiciary.....	108
Reported back amended	220
Amendment adopted.....	221
Concurred in as amended by the senate.....	221
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Rereferred to committee on judiciary.....	284
Reported back with recommendation that senate adopt senate joint resolution No. 7 as amended in lieu of house joint resolution No. 8.....	847

HOUSE JOINT RESOLUTION NO. 4—

Mr. Gregg. To amend section 2 of article II of the constitution.	
Adopted by the house.....	428
Referred to committee on judiciary.....	428
Reported back amended.....	646
Report laid on the table.....	646
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Amendment adopted	854
Concurred in by senate as amended.....	854
Signed by the speaker.....	859
Signed by the president.....	859

HOUSE JOINT RESOLUTION NO. 5—

Mr. Myers. To appoint a committee to investigate the fishing industry.	
Adopted by the house.....	448
Laid on the table.....	448
Taken from the table.....	707
Indefinitely postponed.....	707

HOUSE JOINT RESOLUTION NO. 6—

Mr. Sherwin. Relating to free text-books.

Adopted by the house..... 532

Laid on the table..... 533

HOUSE JOINT RESOLUTION NO. 8—

Mr. Curtis. Appointing commissioners to represent the state at the Paris exposition.

Adopted by the house..... 778

Amended by the senate..... 779

Concurred in as amended..... 779

Signed by the speaker..... 840

HOUSE JOINT RESOLUTION NO. 9—

Mr. Young. Authorizing secretary of state to draw warrant in payment of luncheon served members and officers.

Adopted by the house..... 846

Senate refused to concur..... 847

RESOLUTIONS—SENATE.

SENATE RESOLUTION NO. 1—

Senator Fulton. Making the officers of the special session of 1898 the officers of this session.

Adopted..... 6

SENATE RESOLUTION NO. 2—

Senator Kelly. Relating to the employment of clerks and committee clerks, and that no regular committee clerks be employed.

Referred to committee on education..... 11

SENATE RESOLUTION NO. 3—

Senator Cameron. That the secretary of state furnish the sergeant-at-arms of the senate with \$4 worth of stamps and \$1 worth of newspaper wrappers for each senator.

Adopted..... 11

SENATE RESOLUTION NO. 4—

Senator Mulkey. Allowing committee clerks.

Amended..... 68

Amendments adopted..... 68

Adopted as amended..... 68

SENATE RESOLUTION NO. 5—

Senator Kuykendall. That the president of the senate be allowed one competent stenographer.

Adopted..... 68

SENATE RESOLUTION NO. 6—

Senator Kuykendall. That the sessions of the senate be opened by prayer.

Adopted..... 72

SENATE RESOLUTION NO. 7—

Senator Selling. That the senate disapprove of the manner of printing reports and that the same be discontinued.

Referred to committee on printing..... 79

Reported back with the recommendation that it be adopted..... 97

Adopted..... 97

SENATE RESOLUTION NO. 8—

Senator Haseltine. That the state printer furnish copies of the rules and joint rules of the house and senate, and the standing committees of the senate.

Adopted..... 85

SENATE RESOLUTION NO. 9—

Senator Cameron. That the members of the senate be furnished with three daily newspapers during the session.

Adopted..... 113

SENATE RESOLUTION NO. 10—

Senator Porter. That two stenographers be appointed for the use of the members of the senate.

Adopted..... 113

Stenographers appointed..... 123

SENATE RESOLUTION NO. 11—

Senator Kuykendall. That the state printer print 240 extra copies of senate bill No. 8 —

Adopted..... 125

SENATE RESOLUTION NO. 12—

Senator Mulkey. That the secretary of state furnish the members of the senate with the session laws of 1893, 1895 and 1896.

Adopted..... 126

SENATE RESOLUTION NO. 13—

Senator Fulton. That the secretary of state deliver to the president of the senate, senate joint resolution No. 7 of the eighteenth biennial session.

Adopted..... 201

SENATE RESOLUTION NO. 14—

Senator Looney. That a special committee of three be appointed to visit the mute school.

Adopted..... 278

Committee appointed..... 278

Amended..... 279

Report of committee..... 588

SENATE RESOLUTION NO. 15—

Senator Selling. That the senate disapprove of certain officers of the state neglecting their duties.

Referred to committee on fishing industries..... 298

SENATE RESOLUTION NO. 16—

Senator Adams. That senate committee on ways and means fix the compensation of officers of the senate.

Motion to adopt, lost..... 595

SENATE RESOLUTION NO. 17—

Senator Haseltine. That the chief clerk deliver to H. E. Dosch an engrossed resolution of thanks.

Lost..... 651

SENATE RESOLUTION NO. 18—

Senator Reed. Appointing a committee to revise the journal and calendar of the senate.

Adopted..... 706

Reconsidered..... 760

Amended..... 760

Adopted as amended..... 760

Committee appointed..... 760

SENATE RESOLUTION NO. 19—

Senator Mulkey. Appointing a committee to report at the next session of the senate a bill amending and changing the present statute, defining the duties and fixing the compensation of the state printer in such a manner as to cover all the printing done for the state and insure good work at reasonable rates.

Adopted..... 769
 Enrolled 819
 Committee appointed..... 826

SENATE RESOLUTION NO. 20—

Senator Reed. That senate bills Nos. 119, 139 and 140 be called up for immediate consideration.

Adopted..... 810
 Enrolled 819

SENATE RESOLUTION NO. 21—

Senator Mulkey. Fixing the compensation of the officers and clerks of the senate.

Amended 846
 Adopted..... 846

SENATE RESOLUTION NO. 22—

Senator Brownell. Extending thanks to Hon. T. C. Taylor, president of the senate.

Adopted by rising vote..... 848

SENATE RESOLUTION NO. 23—

Senator Michell. Fixing the compensation of the clerks of the engrossing and enrolling committees.

Lost 854

SENATE RESOLUTION NO. 24—

Senator Brownell. Relative to the state of Oregon purchasing the Mt. Hood and Barlow road, and appointing a committee to investigate the same.

Lost 856

SENATE RESOLUTION NO. 25—

Senator Reed. Fixing the compensation of the chief clerk of the engrossing committee.

Lost 856

CONCURRENT RESOLUTIONS—SENATE.

SENATE CONCURRENT RESOLUTION NO. 1—

Senator Looney. Appointing a committee to examine the books of the state treasurer.

Adopted..... 7

SENATE CONCURRENT RESOLUTION NO. 2—

Senator Daly of Lake. Proposing amendments to the constitution empowering governor to veto parts of the appropriation bill.

Ordered printed 106

SENATE CONCURRENT RESOLUTION NO. 3—

Senator Mulkey. That no bill shall be introduced for the consideration of the legislature later than the twenty-fifth day.

Amended 230
 Lost 230

SENATE CONCURRENT RESOLUTION NO. 4—

Senator Josephi. That the Oregon grape be accepted as the state flower.

Adopted.....	332
Enrolled	380
Signed by the speaker	383
Signed by the president	384

SENATE CONCURRENT RESOLUTION NO. 5—

Senator Reed. Requiring the secretary of state to furnish the state printer with true copies of the legislative proceedings.

Adopted.....	384
Reconsidered	341
Tabled	341

SENATE CONCURRENT RESOLUTION NO. 6—

Senator Fulton. Relating to the Loewenberg contract.....353, 409

Concurred in by the house.....	582
Enrolled	539
Signed by the speaker.....	541
Signed by the president.....	541
Report of state board of managers.....	583

SENATE CONCURRENT RESOLUTION NO. 7—

Senator Mulkey. Expressing admiration for the Oregon soldiers in avenging the loss of the Maine.

Adopted.....	439
Concurred in by the house.....	454
Enrolled	466
Signed by the speaker.....	468
Signed by the president.....	468

SENATE CONCURRENT RESOLUTION NO. 8—

Senator Fulton. Extending congratulations to the president of the United States on the ratification by the senate of the Paris treaty and settling the differences with Spain.

Adopted.....	446
Concurred in by the house.....	454
Enrolled	466
Signed by the speaker.....	468
Signed by the president.....	468

SENATE CONCURRENT RESOLUTION NO. 9—

Senator Driver. That no religious or political opinion shall be considered in fixing the compensation of county officers.....

Lost	457
	458

SENATE CONCURRENT RESOLUTION NO. 10—

Senator Fulton. That the twentieth legislative assembly adjourn without day on Saturday, February 18, 1899, at 12 o'clock m.

Adopted	743
Amended in the house.....	759
Adopted by the house.....	759
Amendment concurred in by the senate.....	759

SENATE CONCURRENT RESOLUTION NO. 11—

Senator Haseltine. For an additional 4,000 copies of the report of the state board of horticulture.

Adopted.....	745
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Concurred in by the house	758
Enrolled	789
Signed by the speaker	790
Signed by the president	790
SENATE CONCURRENT RESOLUTION NO. 12—	
Senator Reed. Requiring the secretary of state to furnish the state printer with true copies of the legislative records within sixty days after the close of the session.	
Adopted	746
Concurred in by the house	763
Signed by the speaker	790
Signed by the president	790
SENATE CONCURRENT RESOLUTION NO. 14—	
Senator Kuykendall. To procure manuscripts of the addresses delivered on admission day.	
Adopted	779
Amended by the house	792
Concurred in by the house	792
Amendment concurred in by the senate	793
Enrolled	861
Signed by the speaker	861
Signed by the president	861
SENATE CONCURRENT RESOLUTION NO. 15—	
Senator Reed. Requesting a conference committee on house bill No. 383.	
Adopted	853
Committee appointed	853
Concurred in by the house	854
Enrolled	861
Signed by the speaker	861
Signed by the president	861
SENATE CONCURRENT RESOLUTION NO. 16—	
Senator Fulton. That the senate do not concur in the adoption of the amendment to senate bill No. 17, and requesting a conference.	
Adopted	853
Committee appointed	853
Report of committee	859

RESOLUTIONS—SENATE JOINT.

SENATE JOINT RESOLUTION NO. 1—	
Committee. Relative to the appointment of officers and clerks of the session	
Referred to committee on education	8
Reported back with the recommendation that it do not pass	67
Report adopted	67
Concurred in by the house	71
Enrolled	84
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